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## Regulations

### TITLE 7—AGRICULTURE

#### Chapter VII—War Food Administration (Agricultural Adjustment)

[ACP-1943-16]

#### PART 701—AGRICULTURAL CONSERVATION PROGRAM<sup>1</sup>

##### PRODUCTION PRACTICE ALLOWANCES FOR FARMS IN THE WESTERN REGION

Pursuant to the authority vested in the Secretary of Agriculture under sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, as amended, and in the War Food Administrator by Executive Order No. 9322 as amended by Executive Order No. 9334, the 1943 Agricultural Conservation Program, as amended, is further amended as follows:

Section 701.405 (e) (2), the last paragraph thereof, is amended to read as follows:

§ 701.405 *Production practice goals, allowances, practices, and rates of payment.* \* \* \*

(e) *Farm production practice allowance.* \* \* \*

(2) *Farms in the Western Region.* \* \* \* The county committee may adjust the preliminary production practice allowance, determined for any farm in accordance with the foregoing factors, by increasing or decreasing the preliminary allowance by not more than 30 percent on the basis of the type and degree of erosion, the topography of the land, the type of soil, the type of farming, the acreage in war crop goals, the need for maintaining and increasing soil fertility, the need for and practicability of water conservation, and the availability of labor, equipment and material required in carrying out needed practices. The preliminary production practice allowances for all farms after such adjustments are made by the county committee shall be increased by 20 percent and the amount so determined for any farm shall be the final production practice al-

lowance for such farm. The sum of the final production practice allowances for all farms in the county shall not exceed 120 percent of an amount determined by the State Committee with the approval of the regional director, and for all counties in the region, shall not exceed 120 percent of the sum of the preliminary production practice allowances.

Issued at Washington, D. C., this 26th day of August 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-13941; Filed, August 26, 1943;  
11:21 a. m.]

#### Chapter XI—War Food Administration (Distribution Orders)

[FDO 13, Amdt. 1]

#### PART 1401—DAIRY PRODUCTS

##### CREAM

Food Distribution Order No. 13 (8 F.R. 1479), issued by the Secretary of Agriculture on February 2, 1943, is amended to read as follows:

§ 1401.13 *Restrictions with respect to cream—(a) Definitions.* When used in this order, unless otherwise distinctly expressed or manifestly incompatible with the intent hereof:

(1) The term "person" means any individual, partnership, association, business trust, corporation, or any organized group of persons, whether incorporated or not.

(2) The term "handler" means any person who engages in the sale, distribution, or transportation of milk, cream, or any other dairy product.

(3) The term "milk" means cow's milk.

(4) The term "cream" means the class of food which is the sweet, fatty liquid or semi-liquid separated from milk, with or without the addition thereto and the mixing therewith of sweet milk or sweet skim milk, irrespective of whether it is pasteurized or homogenized, and containing not less than 18 percent of milk fat; and such term includes light cream,

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<sup>1</sup> Subpart E, 1943.





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coffee cream, table cream, whipping cream, heavy cream, plastic cream, and any other cream by whatever name known.

(5) The term "cream product" means cream to which there has been added any culture, stabilizer, or like agent or ingredient, irrespective of whether or not such product is pasteurized, homogenized, or sterilized.

(6) The term "milk fat", sometimes known as "butterfat", means the fat of milk; the proportionate content of such milk fat in milk, cream, or cream product to be determined by the method prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists", Fifth Edition, 1940, page 287, under "Fat, Babcock Method—Official."

(7) The term "Director" means the Director of Food Distribution, War Food Administration.

(b) *Restrictions on handlers.* (1) No handler may sell or deliver to any person, except to another handler, any cream or cream product having a milk fat content in excess of 19 percent: *Provided*, That a handler may deliver to any person cream having a milk fat content not exceeding by more than 1 percent the minimum milk fat content required by State law or administrative regulation in effect on November 25, 1942, in the State where such delivery is made. (For the purposes of this subparagraph the term "State" shall also mean the District of Columbia.)

(2) No handler may sell or deliver to any person, except to another handler, any cream or cream product to which there has been added evaporated milk, condensed milk, dry whole milk, or dry skim milk.

(c) *Exemptions.* (1) Notwithstanding the provisions of (b) hereof, a handler may deliver to or for any person or establishment engaged in the care and treatment of the sick, cream or cream products of such milk fat content and in such quantities as may be necessary for supervised medical treatment of the patients of such persons or establishment: *Provided*, That the handler is supplied with a written statement from the patient's physician or, in the case of an establishment engaged in the care and treatment of the sick, from a re-

sponsible official thereof who is a practicing physician, and such written statement shall be valid for a period of not to exceed sixty days from the date of issuance and shall specify (i) the milk fat content, (ii) the daily quantity of cream or cream product required for such use, and (iii) with regard to the necessity of such cream or cream product for supervised medical treatment.

(2) Upon application by one or more handlers in any marketing area and after demonstration to the satisfaction of the Director that compliance with the provisions of (b) (1) hereof will not tend to conserve milk fat for war and essential civilian needs, the Director may grant an exemption from the provisions of (b) (1) hereof to any or all handlers in such area.

(d) *Audits and inspections.* The Director shall be entitled to make such audit or inspection of the books, records and other writings, premises or stocks of cream of any person, and to make such investigations, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(e) *Records and reports.* (1) The Director shall be entitled to obtain such information from, and require such reports and the keeping of such records by, any person, as may be necessary or appropriate, in his discretion, to the enforcement or administration of the provisions of this order.

(2) Every person subject to this order shall, for at least two years (or for such period of time as the Director may designate), maintain an accurate record of his transactions in cream.

(3) The record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942. Subsequent record-keeping or reporting requirements will be subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

(f) *Petition for relief from hardship.* Any person affected by this order, who considers that compliance herewith would work an exceptional and unreasonable hardship on him, may file a petition for relief with the Regional Director, Food Distribution Administration, War Food Administration, serving the area (8 F.R. 9315) in which such person resides or does business. Petitions for such relief shall be in writing, and shall set forth all pertinent facts and the nature of the relief sought. If such person is dissatisfied with the action taken on the petition by the Regional Director, he may, by requesting the Regional Director therefor, secure a review of such action by the Director. The Director may, after such review, take such action as he deems appropriate, and such action shall be final.

(g) *Communications.* All reports required to be filed hereunder and all communications concerning this order, shall be addressed to the Regional Director, Food Distribution Administration, War Food Administration, serving the area



(8 F.R. 9315) in which the person affected by the order resides or does business.

(h) *Violations.* The War Food Administrator may, by suspension order, prohibit any person who violates any provision of this order from receiving, making any deliveries of, or using cream, or any other material subject to priority or allocation control by the War Food Administrator, and may recommend that any such person be prohibited from receiving, making any deliveries of, or using materials subject to priority or allocation control of other governmental agencies. In addition, any person who willfully violates any provision of this order is guilty of a crime and may be prosecuted under any and all applicable laws. Further, civil action may be instituted to enforce any liability or duty created by, or to enjoin any violation of, any provision of this order.

(i) *Delegation of authority.* The administration of this order and the powers vested in the War Food Administrator, insofar as such powers relate to the administration of this order, are hereby delegated to the Director. The Director is authorized to redelegate to any employee of the United States Department of Agriculture any or all of the authority vested in him by this order.

(j) *Territorial extent.* This order shall apply only to the forty-eight States of the United States and the District of Columbia.

(k) *Saving clause.* (1) With respect to any violation of Conservation Order M-259 (7 F.R. 9811), as amended, issued by the War Production Board, during the time said order, as amended, was in effect, said Conservation Order M-259, as amended, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with respect to such violation.

(2) With respect to any violation of Food Distribution Order No. 13, prior to the effective date hereof, Food Distribution Order No. 13, shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding, with respect to any such violation.

(l) *Effective date.* This order shall become effective 12:01 a. m., e. w. t., September 1, 1943.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 26th day of August 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Doc. 43-13940; Filed, August 26, 1943;  
11:21 a. m.]

## TITLE 21—FOOD AND DRUGS

### Chapter I—Food and Drug Administration

[Docket No. FDC-35 and 35 (a)]

#### PART 144—CERTIFICATION OF BATCHES OF DRUGS COMPOSED WHOLLY OR PARTLY OF INSULIN

By virtue of the authority vested in the Federal Security Administrator by

provisions of the Federal Food, Drug, and Cosmetic Act as amended (sec. 506, 55 Stat. 851; 21 U.S.C. 356, 1941 Supp.);

It is ordered, That the regulations for the certification of batches of drugs composed wholly or partly of insulin (7 F.R. 777) be amended to read as follows, and that as so amended such regulations be and they hereby are promulgated:

- Sec.  
144.1 Definitions and interpretations of terms.  
144.2 Requests for certification; samples; storage; approvals preliminary to certification.  
144.3 Certifications.  
144.4 Conditions on the effectiveness of certificates.  
144.5 Packaging.  
144.6 Labeling.  
144.7 Distinguishing colors on packages.  
144.8 Records of distribution.  
144.9 Authority to refuse certification service.  
144.10 Fees.  
144.11 Standards of identity, strength, quality, and purity for protamine zinc insulin.  
144.12 Standards of identity, strength, quality and purity for globin insulin (with zinc).  
144.13 Tests and methods of assay.

AUTHORITY: §§ 144.1 to 144.13, inclusive, issued under sec. 506, 55 Stat. 851; 21 U.S.C. Sup. 356.

§ 144.1 *Definitions and interpretations of terms.* For the purpose of the regulations in this part:

(a) The term "insulin" means the active principle of pancreas which affects the metabolism of carbohydrate in the animal body and which is of value in the treatment of diabetes mellitus.

(b) The term "insulin U. S. P." means the insulin injection recognized in the United States Pharmacopoeia, Twelfth Revision.

(c) The term "protamine zinc insulin" means the insulin preparation described in § 144.11.

(d) The term "globin insulin (with zinc)" means the insulin preparation described in § 144.12.

(e) The term "master lot" means a quantity, which is purified and which has been mixed in one container so as to be homogeneous, of (1) a concentrated solution of insulin, or (2) the insulin-containing solids, in amorphous or crystalline form, derived from one or more such solutions.

(f) The term "batch" means a quantity of a drug, in labeled packages, of uniform composition and intended for administration without further change, in which the sole insulin-containing ingredient is a single dilution (which has been mixed in one container so as to be homogeneous) of (1) a single master lot or part thereof, or (2) a mixture of two or more master lots or parts thereof; except that such term means a portion of such quantity when certification of such portion is requested.

(g) The term "master lot mark" means an identifying mark or other identifying device assigned to a master lot by the manufacturer thereof.

(h) The term "batch mark" means an identifying mark or other identifying de-

vice assigned to a batch by the manufacturer thereof.

(i) The term "Commissioner" means the Commissioner of Food and Drugs.

(j) The functions and duties of the Commissioner under the regulations in this part may be exercised by such other responsible officials of the Food and Drug Administration as the Commissioner may designate for that purpose.

(k) The definitions and interpretations of terms contained in section 201 of the Act shall be applicable to such terms when used in the regulations in this part.

§ 144.2 *Requests for certification; samples; storage; approvals preliminary to certification.* (a) A request for certification of a batch shall be addressed to the Commissioner, Food and Drug Administration, Federal Security Agency, Washington, D. C. A request from a foreign manufacturer shall be signed by such manufacturer and by an agent of such manufacturer who resides in the United States.

(b) The initial request for certification submitted by any person shall be preceded or accompanied by a full statement of the facilities and controls used to maintain the identity, strength, quality, and purity of each batch, including a description of (1) the equipment, methods, and processes used in diluting master lots and parts thereof, and in maintaining the identity, strength, quality, and purity of master lots and dilutions therefrom; (2) the tests and assays made on master lots and mixtures thereof, on dilutions and batches therefrom, and on ingredients used in such dilutions and batches; and (3) the laboratory facilities used in such controls. Such initial request shall also be preceded or accompanied by the keys to the master lot marks and batch marks used by such person. When any change is made in any of such facilities or controls, or in any such key, the next request for certification thereafter shall be accompanied by a full statement of such change.

(c) A person who requests certification of a batch shall submit in connection with his request statements showing:

(1) The master lot mark of each master lot used or to be used wholly or partly as an ingredient or component of an ingredient of the batch;

(2) The quantity of each such master lot so used;

(3) The original quantity of each such master lot (unless such information has been previously submitted);

(4) The quantity of the batch; and

(5) The batch mark.

(d) Except as otherwise provided in paragraphs (g) and (h) of this section, a person who requests certification of a batch shall submit in connection with his request and in the quantities hereinafter indicated, accurately representative samples of the following:

(1) The single master lot or the mixture of two or more master lots or parts thereof, to be used as an ingredient of the batch; in a quantity containing approximately 10,000 U. S. P. Units of insulin.

(2) A trial dilution made from such master lot or mixture, glycerin, phenol



or cresol, and hydrochloric acid, which dilution conforms to the standard of identity, strength, quality, and purity for insulin U. S. P., containing 20 U. S. P. Units or 40 U. S. P. Units of insulin per cubic centimeter; in a quantity containing approximately 2,500 U. S. P. Units of insulin.

(3) If the batch is to be insulin U. S. P., the bulk dilution made from such master lot or mixture, glycerin, phenol or cresol, and hydrochloric acid, which dilution, without further change, is intended to be filled into the containers of the finished batch; in a quantity containing approximately 2,500 U. S. P. Units of insulin.

(4) If the batch is to be protamine zinc insulin, the bulk dilution made from such master lot or mixture, protamine, zinc chloride, glycerin, phenol or cresol, and hydrochloric acid, which dilution is the sole insulin-containing ingredient intended to be filled into the containers of the finished batch, and which is intended to be so filled without further change; in a quantity containing approximately 2,500 U. S. P. Units of insulin.

(5) If the batch is to be protamine zinc insulin, the lot of protamine used as an ingredient of the bulk dilution referred to in subparagraph (4) of this paragraph; in a quantity of approximately 2 grams.

(6) If the batch is to be protamine zinc insulin, the buffer solution (solution of disodium phosphate) which, without further change, is intended to be filled into the container of the finished batch; in a quantity not less in volume than the volume of the sample submitted pursuant to subparagraph (4) of this paragraph.

(7) If the batch is to be protamine zinc insulin, a trial mixture of the bulk dilution and the buffer solution referred to in subparagraphs (4) and (6) of this paragraph, which mixture is intended to be accurately representative of the mixture which will constitute the finished batch; in a quantity containing approximately 2,500 U. S. P. Units of insulin.

(8) If the batch is to be globin insulin (with zinc), the lot of globin hydrochloride from which the globin is to be prepared for use as an ingredient of the bulk dilution referred to in subparagraph (10) of this paragraph; in a quantity of approximately 5 grams.

(9) If the batch is to be globin insulin (with zinc), a trial mixture made from the master lot or mixture referred to in subparagraph (1) of this paragraph, globin, zinc chloride, hydrochloric acid, and phenol or cresol, which mixture is intended to be accurately representative of the mixture which will constitute the finished batch; in a quantity containing approximately 2,500 U. S. P. Units of insulin.

(10) If the batch is to be globin insulin (with zinc), the bulk dilution made from such master lot or mixture, globin, zinc chloride, hydrochloric acid, and phenol or cresol, which dilution without further change, is intended to be filled into the containers of the finished batch; in a quantity containing approximately 2,500 U. S. P. Units of insulin.

(11) The finished batch; in a quantity not less than 5 packages, but in no case

containing less than a total of 700 U. S. P. Units of insulin.

(e) Except as otherwise provided by paragraphs (g) and (h) of this section, a person who requests certification shall submit in connection with his request results of the tests and assays listed after each of the following materials, made by him on a sample of such material;

(1) The master lot or mixture, referred to in paragraph (d) (1) of this section: ash, nitrogen, potency, reaction, sterility, and zinc, if such master lot or mixture is a solution; ash, moisture, nitrogen, potency, and zinc, if such master lot or mixture is a solid.

(2) A trial dilution from such master lot or mixture, of the potency of the trial dilution referred to in paragraph (d) (2) of this section: ash, nitrogen, reaction, potency, and zinc.

(3) If the batch is to be insulin U. S. P., the bulk dilution referred to in paragraph (d) (3) of this section: ash, nitrogen, reaction, sterility, and zinc.

(4) If the batch is to be protamine zinc insulin, the bulk dilution referred to in paragraph (d) (4) of this section: nitrogen, reaction, sterility, and zinc.

(5) If the batch is to be protamine zinc insulin, the protamine referred to in paragraph (d) (5) of this section: moisture, nitrogen, and sulfate.

(6) If the batch is to be protamine zinc insulin, the buffer solution referred to in paragraph (d) (6) of this section: sterility.

(7) If the batch is to be protamine zinc insulin, the trial mixture referred to in paragraph (d) (7) of this section: nitrogen, reaction, zinc, and biological reactions (by the tests prescribed in § 144.13 (b) or (c), and (d)).

(8) If the batch is to be globin insulin (with zinc), the globin hydrochloride referred to in paragraph (d) (8) of this section: moisture, nitrogen, chloride, and ash.

(9) If the batch is to be globin insulin (with zinc), the trial mixture referred to in paragraph (d) (9) of this section: nitrogen, reaction, zinc, and biological reaction (by the test prescribed in § 144.13 (e)).

(10) If the batch is to be globin insulin (with zinc), the bulk dilution referred to in paragraph (d) (10) of this section: nitrogen, reaction, sterility, and zinc.

(11) The finished batch: nitrogen, reaction, sterility, zinc, and if the batch is insulin U. S. P., ash.

(f) The results of tests and assays for the following shall be reported in the terms indicated:

Ash (except globin hydrochloride)—milligrams per 1,000 U. S. P. Units of insulin.

Ash in globin hydrochloride—percent by weight.

Chloride—percent by weight as HCl.

Moisture—percent by weight.

Nitrogen (except in globin hydrochloride and protamine)—milligrams per cubic centimeter in the cases of solutions and suspensions, and percent by weight in the case of solids.

Nitrogen in globin hydrochloride—percent by weight calculated to a moisture-free, ash-free, chloride-free basis.

Nitrogen in protamine—percent by weight, calculated to a moisture-free basis.

Potency—U. S. P. Units of insulin per cubic centimeter in the case of solutions, and

U. S. P. Units of insulin per milligram in the case of solids.

Reaction—hydrogen ion concentration (pH).

Sulfate—percent by weight, as  $\text{SO}_4$ , calculated to a moisture-free basis.

Zinc—milligrams per cubic centimeter in the cases of solutions and suspensions, and percent by weight in the case of solids.

(g) (1) No sample referred to in paragraph (d) (1) to (10) of this section, inclusive, and no result referred to in paragraph (e) (1) to (10) of this section, inclusive, is required if such sample or result has been submitted in connection with a previous request for certification. No sample referred to in paragraph (d) (7) of this section and no result referred to in paragraph (e) (7) of this section is required if the batch is to be protamine zinc insulin of 80-unit strength, and the Commissioner has previously approved a trial mixture referred to in paragraph (d) (7) of this section of 40-unit strength, prepared from the same materials and in the same manner (except for adjustment of reaction of the buffer solution) as such batch of 80-unit strength is to be made.

(2) Each sample submitted pursuant to this section shall be so packaged as to maintain its representative character, and in the case of any solution or suspension, shall be collected and packaged under aseptic conditions. Each package shall be clearly identified as to its contents and shall bear the name and post office address of the person submitting the request.

(3) The packages constituting the samples submitted pursuant to paragraph (d) (11) of this section shall be collected at such intervals that the quantities packaged between collections are approximately equal; in no case shall any such quantity be more than 10,000 packages. The collections shall cover the entire period of packaging.

(4) Each sample submitted pursuant to paragraph (d) (2), (3), (4), (6), (7), (9), and (10) of this section shall be accompanied by a statement showing the identity, quality, and quantity of each substance used as an ingredient or as a component of an ingredient in the material from which the sample was taken. Each sample submitted pursuant to paragraph (d) (11) of this section shall be accompanied by a statement showing the quantity of the bulk dilution and, if the batch is protamine zinc insulin, the quantity of buffer solution used in the batch.

(5) If the tests and assays, results of which are submitted pursuant to paragraph (e) (2) of this section, were not made on the same trial dilution as that from which the sample submitted pursuant to paragraph (d) (2) of this section was taken, such sample shall be accompanied by a statement showing the identity, quality, and quantity of each substance used as an ingredient or as a component of an ingredient of the trial dilution on which such tests and assays were made.

(6) The value for each of the components ash, nitrogen, and zinc submitted pursuant to subparagraphs (1), (2), and (3) of paragraph (e) may be calculated from the result of a test



therefor submitted pursuant to either subparagraph (1) or (2) of such paragraph. The result on potency required under subparagraph (1) of such paragraph may be calculated from the result of an assay therefor submitted pursuant to subparagraph (2) of such paragraph. The value for each of the components nitrogen and zinc, to the extent required under subparagraphs (4), (7), and (11) of such paragraph, may be calculated from the result of a test therefor submitted pursuant to either subparagraph (4) or (7) of such paragraph. The value for each of the components nitrogen and zinc, to the extent required under subparagraphs (9), (10), and (11) of such paragraph, may be calculated from the result of a test therefor submitted pursuant to either subparagraph (9) or (10) of such paragraph. The value for each of the components ash, nitrogen, and zinc required under subparagraph (11) of such paragraph may, if the batch is insulin U. S. P., be calculated from the result of a test therefor submitted pursuant to subparagraphs (1), (2), or (3) of such paragraph. Each calculated value shall be indicated as such.

(7) The information required under paragraph (c) (1), (2) and (3) of this section, and the samples and results of tests and assays required under paragraphs (d) (1) and (2) and (e) (1) and (2) of this section should be submitted before submission of the samples and results required in paragraphs (d) (3) to (10) of this section, inclusive, and (e) (3) to (10) of this section, inclusive; and the samples and results required under paragraphs (d) (3) to (10), inclusive, and (e) (3) to (10), inclusive, should be submitted before submission of the information, samples, and results required under paragraphs (c) (4) and (5), (d) (11), and (e) (11) of this section. All information, including results of tests and assays (except results of tests for sterility), required under this section should be submitted at the same time as the samples to which they relate are submitted.

(h) The person who requests certification shall submit such information additional to that submitted pursuant to paragraphs (b), (c), (e), and (g) of this section, such additional samples of any substance referred to in paragraph (d) of this section, and such samples of any other substance used or to be used as an ingredient or as a component of an ingredient in the batch, as the Commissioner may require for the purpose of investigations to determine whether or not such batch complies with the requirements set forth by § 144.2 for the issuance of a certificate.

(i) After a sample required by paragraph (d) of this section is taken from any master lot or mixture of parts of two or more master lots, such master lot or master lots and all parts thereof, and all dilutions and batches and all parts thereof in which any such master lot is used as an ingredient or as a component of an ingredient, shall be stored at the establishment where manufactured until used up or shipped or otherwise delivered, at a temperature above freezing but not above 15° C. (59° F.), and under

such other conditions as prevent, so far as practicable, any change in composition; except that master lots and parts thereof which are solids may be stored at ordinary room temperatures.

(j) As promptly as practicable after the samples submitted pursuant to paragraph (d) (1) and (2) of this section, and any other material or information relative thereto that may be required under this section, are received by the Commissioner, he shall notify the person who submitted such samples of his approval or refusal to approve the use of the master lot or mixture for the making of bulk dilutions. In case of a refusal to approve, the Commissioner shall state his reasons therefor.

(k) In like manner, the Commissioner shall notify the person who submits samples pursuant to paragraph (d) (3) to (10) of this section, inclusive, of his approval or refusal to approve the use of the materials represented by such samples in completing the manufacture of the batch. In case of a refusal to approve, the Commissioner shall state his reasons therefor.

(l) If, under the provisions of paragraph (j) or (k) of this section, the Commissioner has refused to approve any material for use in a subsequent operation, he shall examine no other sample required hereunder which includes such material as an ingredient or component of an ingredient, unless and until the person requesting certification makes an adequate showing that the cause for such refusal no longer exists.

§ 144.3 *Certifications.* (a) If it appears to the Commissioner, after such investigation as he considers necessary, that:

(1) The information, including result of tests and assays, and the samples, required by or pursuant to § 144.2 have been submitted and such information contains no untrue statement of a material fact;

(2) The batch complies with these regulations and conforms to the standards of identity, strength, quality, and purity for insulin U. S. P., protamine zinc insulin, or globin insulin (with zinc);

the Commissioner shall certify that such batch is safe and efficacious for use, subject to such conditions on the effectiveness of such certifications as are set forth in § 144.4, and shall issue to the person who requested it a certificate to that effect.

(b) If the Commissioner determines, after such investigation as he considers to be necessary, that the information submitted pursuant to § 144.2, or the batch covered by such request, does not comply with the requirements set forth in paragraph (a) of this section for the issuance of a certificate, the Commissioner shall refuse to certify such batch and shall give notice thereof to the person who requested certification, stating his reasons for refusal.

(c) For the purposes of his investigations under the authority of this section, the Commissioner may accept, when he is satisfied as to the completeness and accuracy thereof the results of any tests or assays made by the control laboratory

of the Insulin Committee of the University of Toronto, pursuant to a licensing agreement entered into prior to the date of enactment of Public Law 366, 77th Cong., 1st Sess. (1941).

§ 144.4 *Conditions on the effectiveness of certificates.* (a) A certificate shall not become effective:

(1) If it is obtained through fraud, or through misrepresentation or concealment of a material fact;

(2) With respect to any package unless its immediate container complies with the requirements of § 144.5 and such package has been so sealed that its contents cannot be used without destroying such package or seal; or

(3) With respect to any package unless its label and labeling bear all words, statements, and other information, and are distinguished by the color or colors, required by §§ 144.6 and 144.7.

(b) A certificate shall cease to be effective:

(1) With respect to any package of insulin U. S. P., 2 years after such package is removed from the storage required by § 144.2 (i);

(2) With respect to any package of protamine zinc insulin, 18 months after the immediate container therein was filled, but in no case shall a certificate remain effective with respect to any package more than 12 months after it is removed from the storage required by § 144.2 (i);

(3) With respect to any package of globin insulin (with zinc), 18 months after the immediate container therein was filled, but in no case shall a certificate remain effective with respect to any package more than 12 months after it is removed from the storage required by § 144.2 (i);

(4) With respect to any package, when such package or the seal thereof or the immediate container therein is broken, or when its label or labeling ceases to conform to any requirement of §§ 144.6 or 144.7; or

(5) With respect to any package when the drug therein so changes that it fails to meet the standards of identity, strength, quality, and purity upon the basis of which the batch was certified; except that those minor changes in potency (not exceeding 10 percent from the potency stated on the label, in the case of insulin U. S. P.) which occur before the expiration date, and which are normal and unavoidable in good storage and distribution practice, shall be disregarded.

§ 144.5 *Packaging.* Each batch shall be packaged in immediate containers of colorless transparent glass. Such containers shall be closed with a substance through which successive doses may be withdrawn by hypodermic needle without removing the closure or destroying its effectiveness. The containers and closures shall be sterile at the time the containers are filled and closed. The composition of the containers and closures shall be such as will not cause any change in the strength, quality, or purity of the contents beyond any limit therefor prescribed in applicable standards of strength, quality, and purity.



§ 144.6 *Labeling.* Each package from a batch that has been certified in accordance with the regulations in this part shall bear, on its label or labeling as hereinafter indicated; the following:

(a) On the outside wrapper or container and the immediate container of the retail package:

(1) The batch mark of such batch; and

(2) The strength of the drug in terms of U. S. P. Units of insulin per cubic centimeter.

(b) On the outside container or wrapper of the retail package:

(1) The statement "Expiration date -----", the blank being filled in with the date on which the certificate applicable to such batch expires with respect to such package, as provided in § 144.4 (b) (1), (2), or (3); and

(2) The statement "Keep in a cold place; avoid freezing".

(c) On the circular or other labeling of the retail package:

(1) A statement that the treatment of diabetes mellitus is an individual problem and that the use of the drug, the time of its administration, the number of daily doses and the quantity of each, as well as diet and exercise, are problems which require direct and continuous medical supervision;

(2) A statement explaining that the volume of the dose depends on the number of units of insulin per cubic centimeter stated on the label, and that the patient should understand the meaning of the volume markings on the syringe;

(3) A description of a practicable method for sterilizing the needle and syringe before use;

(4) A description of the technique of withdrawal from the vial and the use of an antiseptic on the stopper, and a caution against removal of the stopper;

(5) A description of the technique for cleansing, and the use of an antiseptic on, the site of injection;

(6) A statement that failure to comply with the techniques described in paragraphs (3), (4), and (5) of this section may lead to infection of the patient;

(7) A statement that injection should be subcutaneous, at a different site from that of the preceding injection, and a caution against intravenous or intramuscular use;

(8) An explanation of hypoglycemia and its relation to over-dosage, omission of meals, illness, and infection;

(9) A statement of the significance of sugar in the urine and of the necessity of tests therefor; and

(10) A caution against use after the expiration date shown on the outside wrapper or container.

(d) On the circular or other labeling of the retail package, if the batch is insulin U. S. P. (in addition to the information required by paragraphs (a), (b), and (c) of this section), a caution against use if the drug has become viscous or if its color has become other than water clear.

(e) On the outside wrapper or container and the immediate container of the retail package, if the batch is protamine zinc insulin (in addition to the information required by paragraphs (a),

(b), and (c) of this section), the statement "Shake carefully", or "Shake well before using", or "Shake well".

(f) On the circular or other labeling of the retail package, if the batch is protamine zinc insulin (in addition to the information required by paragraphs (a), (b), (c), and (e) of this section:

(1) An explanation of the difference, as compared with insulin U. S. P., in onset of action, duration, and the time and frequency of administration;

(2) A caution that it is not to be substituted for insulin U. S. P., except on the advice and direction of a physician;

(3) A statement that a uniform suspension of the preparation is necessary and is brought about by careful shaking before use;

(4) A caution against use when the precipitate has become lumped or granular in appearance or has formed a deposit of solid particles on the wall of the container.

(g) On the circular or other labeling of the retail package, if the batch is globin insulin (with zinc), (in addition to the information required by paragraphs (a), (b), and (c) of this section):

(1) An explanation of the difference, as compared with insulin U. S. P. and with protamine zinc insulin, in onset of action, duration, and the time and frequency of administration;

(2) A caution that it is not to be substituted for insulin U. S. P. or protamine zinc insulin, except on the advice and direction of the physician; and

(3) A caution against use if any turbidity or precipitate has developed in the solution.

§ 144.7 *Distinguishing colors on packages.* (a) The outside containers or wrappers of the packages, and the labels on the immediate containers, of each strength of insulin U. S. P. shall be distinguished by the following colors:

Yellow, if it contains 20 U. S. P. Units of insulin per cubic centimeter;

Red, if it contains 40 U. S. P. Units of insulin per cubic centimeter;

Green, if it contains 80 U. S. P. Units of insulin per cubic centimeter;

Orange, if it contains 100 U. S. P. Units of insulin per cubic centimeter;

But if the master lot used was in crystalline form, the distinguishing colors, instead of those prescribed above, may be the following:

Blue and gray, or blue, gray, and yellow, if it contains 20 U. S. P. Units of insulin per cubic centimeter;

Red and gray, if it contains 40 U. S. P. Units of insulin per cubic centimeter;

Green and gray, if it contains 80 U. S. P. Units of insulin per cubic centimeter.

(b) The outside containers or wrappers of the packages, and the labels on the immediate containers, of each strength of protamine zinc insulin shall be distinguished by the following colors:

Red and white, if it contains 40 U. S. P. Units of insulin per cubic centimeter;

Green and white, if it contains 80 U. S. P. Units of insulin per cubic centimeter.

(c) The outside containers or wrappers of the packages, and the labels on the immediate containers, of globin insulin (with zinc) shall be distinguished

by the following colors: Green and brown.

§ 144.8 *Records of distribution.* (a) The person to whom a certificate is issued shall keep complete records showing each shipment and other delivery (including exports) of each batch or part thereof, by the person requesting certification, and showing each such shipment and delivery into, or from any place in, any state or territory, made by any person subject to his control, including records showing the date and quantity of each such shipment and delivery and the name and postoffice address of the person to whom such shipment or delivery was made.

(b) Upon the request of any officer or employee of the Food and Drug Administration or of any other officer or employee of the United States, acting on behalf of the Administrator, the person to whom a certificate is issued, at all reasonable hours within three years after disposal of all the batch covered by such certificate, shall make such records available to any such officer or employee, and shall accord to such officer or employee full opportunity to make inventory of stocks of such batch on hand and otherwise to check the correctness of such records.

§ 144.9 *Authority to refuse certification service.* When the Administrator finds, after giving notice and opportunity for hearing, that a person has:

(a) Obtained or attempted to obtain a certificate through fraud, or through misrepresentation or concealment of a material fact;

(b) Falsified the records required to be kept by § 144.8; or

(c) Failed to keep such records or to make them available, or to accord full opportunity to make an inventory of stocks on hand or otherwise to check the correctness of such records, as required by such section,

the Administrator may immediately suspend service to such person under these regulations and may continue such suspension unless and until such person shows adequate cause why such suspension should be terminated.

§ 144.10 *Fees.* (a) Fees for the services rendered under the regulations in this part shall be such as are necessary to provide, equip, and maintain an adequate certification service.

(b) Each request for certification submitted, or the initial sample or samples submitted in connection therewith pursuant to § 144.2 (d), whichever is sent first to the Commissioner, shall be accompanied by an advance deposit of \$100 to cover the fee; except, that, if the results of an assay made for potency on a sample of a trial dilution by the laboratory referred to in § 144.3 (c) are not submitted and are not to be submitted such advance deposit shall be \$1,000.

(c) Each sample of trial mixture submitted pursuant to § 144.2 (d) (7) or (9) shall be accompanied by an advance deposit of \$350 to cover the fee, unless the results of the tests for biological reactions made by the laboratory referred to



in § 144.3 (c), are submitted or are to be submitted.

(d) Whenever necessary to prevent arrears in payment of the fee, such additional advance deposits covering such fee shall be made as the Commissioner estimates to be necessary to prevent arrears in payment thereof.

(e) Advance deposits made pursuant to paragraphs (b), (c), and (d) of this section shall be charged with the fee for the service rendered. If the total of such advance deposits made by any person exceeds the fee for service to such person, the excess shall be returned to such person upon the completion of such service.

(f) All advance deposits required by these regulations shall be paid by money order, bank draft, or certified check drawn to the order of the Treasurer of the United States, collectible at par, at Washington, D. C.

(g) All earned fees shall be deposited in the Treasury of the United States to the credit of Miscellaneous Receipts, Federal Security Agency.

§ 144.11 *Standards of identity, strength, quality, and purity for protamine zinc insulin.* Protamine zinc insulin is a preparation, in a buffered medium, of insulin modified by the addition of protamine and zinc chloride. The quantity of insulin used is such that each cubic centimeter of the finished preparation, when the precipitate therein is brought into uniform suspension, contains either 40 or 80 U. S. P. Units of insulin. The quantity of protamine used is such that the concentration of insulin in each cubic centimeter of the supernatant liquid, obtained by centrifuging the preparation, is not more than 1 U. S. P. Unit for the 40-unit preparation and not more than 1.5 U. S. P. Units for the 80-unit preparation; but in no case is the quantity of protamine used (calculated to a moisture-free basis) less than 1.0 milligram or more than 1.5 milligrams for each 100 U. S. P. Units of insulin used. The preparation also contains, for each 100 U. S. P. Units of insulin used, not less than 0.20 milligram and not more than 0.25 milligram zinc, and not more than 1.25 milligrams total nitrogen. Disodium phosphate (calculated as  $\text{Na}_2\text{HPO}_4$ ) is used in a quantity not less than 0.15 percent and not more than 0.25 percent (w/v). The pH of the finished preparation is not less than 7.1 and not more than 7.4. If necessary, either hydrochloric acid or sodium hydroxide may be added to attain the required pH. The finished preparation also contains not less than 1.40 percent and not more than 1.80 percent (w/v) glycerin U. S. P., and either cresol U. S. P. in a quantity not less than 0.13 percent and not more than 0.22 percent (w/v) or phenol U. S. P. in a quantity not less than 0.22 percent and not more than 0.28 percent (w/v). The preparation is sterile. The protamine used is prepared from the sperm or mature testes of fish belonging to the family *Salmonidae*, genus *Oncorhynchus*, *Salmo*, or *Trutta*. When protamine is dried to constant weight at 100° C. its total nitrogen content is not less than 22.5 percent and not more than 25.5 percent, and its sulfate content, calculated as  $\text{SO}_4$ , is not

less than 16 percent and not more than 19 percent.

§ 144.12 *Standards of identity, strength, quality, and purity for globin insulin (with zinc).* Globin insulin (with zinc) is a preparation, in a hydrochloric acid medium, of insulin modified by the addition of globin and zinc chloride. The quantity of insulin used is such that each cubic centimeter of the finished preparation contains 80 U. S. P. Units of insulin. The quantity of globin used (calculated as 6.0 times its nitrogen content) is not less than 3.6 milligrams and not more than 4.0 milligrams for each 100 U. S. P. Units of insulin used. The preparation also contains, for each 100 U. S. P. Units of insulin used, not less than 0.25 milligram and not more than 0.35 milligram zinc and not more than 1.50 milligrams total nitrogen. The pH of the finished preparation is not less than 3.4 and not more than 3.8. If necessary, either hydrochloric acid or sodium hydroxide may be added to attain the required pH. The finished preparation also contains not less than 0.15 and not more than 0.20 percent (w/v) cresol U. S. P., or not less than 0.20 percent and not more than 0.26 percent (w/v) phenol U. S. P. The preparation is sterile. The globin used is obtained from globin hydrochloride prepared from beef blood. The ash content of the globin hydrochloride is not more than 0.3 percent; its nitrogen content, calculated to a moisture, ash, and hydrochloric acid free basis, is not less than 16.0 percent and not more than 17.5 percent.

§ 144.13 *Tests and methods of assay.* The following tests and methods of assay are prescribed for the purposes of the regulations in this part. (All reagents specified herein shall be of U. S. P. quality or better.)

(a) *Tests and methods of assay for insulin U. S. P.* The tests and methods of assay for insulin U. S. P. shall be those set forth therefor in the United States Pharmacopoeia.

(b) *Biological reaction for protamine zinc insulin containing 40 U. S. P. Units of insulin per cubic centimeter.* The rate, amount, and duration of effect in lowering the blood sugar of rabbits by protamine zinc insulin is determined by comparing the average blood sugar concentrations at various intervals during not less than an 11-hour observation period following the administration of protamine zinc insulin subcutaneously into rabbits, with the average blood sugar concentrations similarly obtained by administration of protamine zinc insulin reference material prepared as herein-after set forth.

(1) *Protamine zinc insulin reference material.* Prepare the protamine zinc insulin reference material to contain 40 U. S. P. Units of insulin per cubic centimeter from the following component solutions (or solutions of the same proportionate composition per cubic centimeter) by adding, with gentle shaking, to a suitable volume of Solution 4, accurately measured at room temperature, an equal volume of Solution 2. Test the reaction and if it is not within the limits of pH 7.1 to pH 7.4 discard and prepare

a new mixture using a freshly prepared sample of Solution 2 in which the hydrogen ion concentration has been suitably adjusted by the addition of a solution of either sodium hydroxide or hydrochloric acid. Store in a refrigerator and do not use until at least 2 days, and in no event more than 6 months, have elapsed after preparation.

The solutions referred to above are:

Solution 1. Dissolve 0.183 gram zinc oxide in 60 cubic centimeters of approximately tenth-normal hydrochloric acid. Add 16 grams glycerin, 2.5 grams phenol (or 2 grams cresol), and sufficient distilled water to make the final volume 1,000 cubic centimeters.

Solution 2. Dissolve 4 grams disodium phosphate (calculated as  $\text{Na}_2\text{HPO}_4$ ), 16 grams glycerin, and 2.5 grams phenol (or 2 grams cresol) in sufficient distilled water to make the final volume 1,000 cubic centimeters. Adjust the reaction, if necessary, as directed above.

Solution 3. Dissolve in Solution 1, in the proportion of 1 milligram per cubic centimeter, not less than 100 milligrams of the reference protamine provided for in paragraph (1). Preserve this solution in a cold place and do not use after 6 months from the time of preparation.

Solution 4. Weigh accurately a suitable quantity of U. S. P. Zinc-Insulin Crystals Reference Standard and dissolve in a sufficient quantity of Solution 3 to yield a concentration of 80 U. S. P. Units of insulin per cubic centimeter. If necessary add 1 drop of dilute hydrochloric acid to effect complete solution. Store this solution in a refrigerator and do not use after 3 months from the time of preparation.

(2) *Test animal.* The test animal shall be the same as that described in the United States Pharmacopoeia for the assay of insulin U. S. P.

(3) *Volume of the protamine zinc insulin reference material to be injected.* The volume of the preparation to be injected shall be determined as described in the United States Pharmacopoeia for the assay of insulin U. S. P.

(4) *Conduct of the test.* Divide the animals into 2 similar groups of approximately equal numbers. With the rabbits in individual cages, withhold all food, except water, approximately 24 hours before the test. Weigh the rabbits within about two hours before beginning the test and thereafter withhold water until the final sample of blood has been taken. Handle the rabbits with such care as to avoid exciting them unduly. Obtain for the determination of the initial blood sugar concentration slightly more than 1 cubic centimeter of blood from a small incision in the marginal ear vein. Collect the blood in a suitable vessel containing about 3 milligrams of potassium or sodium oxalate. After obtaining this sample of blood, inject subcutaneously, without dilution, into the rabbits of one group the appropriate dose (determined as directed in subparagraph (3) of this paragraph) of protamine zinc insulin reference material and into the rabbits of the other group the same volume of the preparation to be tested. In the same manner as for the determination of the initial blood sugar concentration, obtain at least 4 samples of blood (in addition to the initial sample) from each rabbit at intervals of 2 to 3 hours, over a period



of not less than 11 hours after the injection. Determine the blood sugar concentration in each sample of blood. About 1 week later inject the preparation being tested into each rabbit of the group which received the protamine zinc insulin reference material; in a similar manner inject the protamine zinc insulin reference material into each rabbit of the group which received the preparation being tested. Obtain samples of blood in the same manner as described above and determine the concentration of sugar in each of them. The volume of each in-

jection of the protamine zinc insulin reference material and of the preparation being tested shall be the same for each rabbit. Results on a total of not less than 30 rabbits shall constitute a test.

(5) *Blood sugar determination.* The method shall be that described for the assay of insulin U. S. P.

(6) *Interpretation of the data.* The index of the relative effect at each bleeding time of the preparation being tested compared with that of the protamine zinc insulin reference material is calculated from the formula:

$$\text{Index at time } x = \frac{\text{Average blood sugar concentration obtained at time } x \text{ by the protamine zinc insulin reference material}}{\text{Average blood sugar concentration obtained at time } x \text{ by the preparation being tested}}$$

The preparation tested is satisfactory if the index for each bleeding time except the last is between 0.92 and 1.08 and the average of all the indexes is between 0.95 and 1.05.

(c) *Biological reaction for protamine zinc insulin containing 80 U. S. P. Units of insulin per cubic centimeter.* Protamine zinc insulin containing 80 U. S. P. Units of insulin per cubic centimeter is tested according to the method prescribed in paragraph (b) of this section for the assay of protamine zinc insulin containing 40 U. S. P. Units of insulin per cubic centimeter, except that:

(1) The protamine zinc insulin reference material is so prepared as to contain 80 U. S. P. Units of insulin per cubic centimeter with zinc and protamine in the same relative proportions per unit of insulin as specified for the protamine zinc insulin reference material in paragraph (b) of this section; and

(2) In the interpretation of the data the index for each bleeding time other than the last is between 0.85 and 1.15 and the average of the indexes is between 0.90 and 1.10.

(d) *Biological reaction for the activity of the supernatant liquid.* Centrifuge the protamine zinc insulin under test and remove a sample of the clear supernatant liquid.

(1) *Standard solution.* The standard solution is the same as that described in the United States Pharmacopoeia for the assay of insulin U. S. P.

(2) *Diluent for standard solution and supernatant liquid.* Prepare a diluent, using distilled water, containing not less than 0.10 percent and not more than 0.25 percent (w/v) phenol or cresol, not less than 1.40 percent and not more than 1.80 percent (w/v) glycerin, and hydrochloric acid in such quantity that the pH of the finished solution is not less than 2.5 and not more than 3.5.

(3) *Dilution of the standard solution.* Dilute the standard solution with the diluent specified in subparagraph (2) so that 0.25 cubic centimeter of the standard solution so diluted will cause convulsions in approximately 50 percent of the test animals, but in no case in less than 30 percent or more than 75 percent of the test animals.

(4) *Dilution of the supernatant liquid.* Dilute the sample of the supernatant liquid with the diluent specified in subparagraph (2). On the assumption that 1 cubic centimeter of the sample of the supernatant liquid contains 1 U. S. P. unit of insulin for the 40-unit preparation and 1.5 U. S. P. units of insulin for the 80-unit preparation, make the dilution of the supernatant liquid such that the final concentration of insulin therein is the same as the concentration of insulin in the dilution of the standard solution.

(5) *Test animal.* Select for test purposes healthy white mice weighing not less than 17 grams, and not more than 21 grams and otherwise suitable. Withhold all food, except water, for at least 5 hours before the test. Divide the mice into 2 groups and identify by an appropriate mark all the mice of one group.

(6) *Conduct of the test.* Inject subcutaneously 0.25 cubic centimeter of the dilution of the standard solution into each mouse of one group and 0.25 cubic centimeter of the dilution of the supernatant liquid being tested into each mouse of the other group. Inject a total of not less than 100 mice with each dilution. Upon injection place the mice in containers, suitably ventilated and maintained at a uniform temperature of not less than 32° C. and not more than 38° C. so that each container will have an equal number of mice from each group. During the test the temperature should not fluctuate more than plus or minus 1° C. Observe all the mice for the same length of time, but not less than 60 minutes and not more than 90 minutes after injection. Record the number which are in collapse or show convulsions.

(7) *Interpretation of results.* When the number of mice in which collapse or convulsions are observed following the injection of the dilution of the supernatant liquid being tested does not exceed the number of mice in which collapse or convulsions occurred following the injection of the dilution of the standard solution, the preparation is considered as complying with the requirements of § 144.11 with respect to the insulin content of the supernatant liquid.

(e) *Biological reaction for globin insulin (with zinc).* The rate, amount, and duration of effect in lowering the blood sugar of rabbits by globin insulin (with zinc) is determined by comparing the average blood sugar concentrations at various intervals during not less than a 10-hour observation period following the administration of globin insulin (with zinc) subcutaneously into rabbits, with the average blood sugar concentrations similarly obtained by administration of globin insulin (with zinc) reference material prepared as hereinafter set forth.

(1) *Globin insulin (with zinc) reference material.* Prepare the globin insulin (with zinc) reference material to contain 80 U. S. P. Units of insulin per cubic centimeter from the following component solutions (or solutions of the same proportionate composition per cubic centimeter) by adding, with gentle shaking, to a suitable volume of Solution 2, accurately measured at room temperature, such volume of Solution 3 that the resulting mixture contains 38 milligrams of globin to each 1,000 U. S. P. Units of insulin. Dilute with distilled water to 19/20 of the final volume required and adjust the reaction with solutions of hydrochloric acid or sodium hydroxide until the reaction is within the limits of pH 3.4 to pH 3.8. Make up to the final volume required by adding distilled water. Store in a refrigerator and do not use after 6 months have elapsed from the date of preparation.

The solutions referred to above are:

Solution 1. Dissolve 0.5975 gram zinc oxide in 245 cubic centimeters of approximately tenth-normal hydrochloric acid. Add 3.5 grams of cresol (or 4.6 grams of phenol) and sufficient distilled water to make the final volume 1,000 cubic centimeters.

Solution 2. Weigh accurately a suitable quantity of U. S. P. Zinc-Insulin Crystals Reference Standard and dissolve in such quantity of Solution 1 as to obtain a concentration of 160 U. S. P. Units of insulin per cubic centimeter. If necessary, add 1 drop of hydrochloric acid to effect complete solution. Store in a refrigerator; do not use after 3 months from the date of preparation.

Solution 3. With careful stirring dissolve globin hydrochloride in distilled water to make a 5-percent solution. Determine the least amount of tenth-normal sodium hydroxide necessary to cause a precipitate in a small, accurately measured sample of this solution, and calculate the amount required for the remaining solution. Add about 70 percent of the calculated amount of sodium hydroxide in the form of a normal sodium hydroxide solution very slowly, with gentle stirring over a period of 1½ hours. Allow the mixture to stand about ½ hour or longer and slowly add the remainder of sodium hydroxide as a tenth-normal solution. Centrifuge and carefully add small amounts of tenth-normal sodium hydroxide until no further precipitate forms. This occurs when the pH is approximately 6.3. Allow to stand for 1 hour and centrifuge. Determine the amount of nitrogen present in the supernatant liquid by the Kjeldahl method. Calculate the globin content by multiplying the nitrogen by 6.0. This solution should be freshly prepared before use.

(2) *Test animal.* The test animal shall be the same as described in the



United States Pharmacopoeia for the assay of insulin U. S. P.

(3) *Volume of the globin insulin (with zinc) reference material to be injected.* The volume of the preparation to be injected shall be such that at a period of from 6 to 8 hours after the administration of the test material, the blood sugar is not greater than approximately 90 percent of the initial value but the volume is not so great as to cause convulsions in more than 25 percent of the animals. Do not dilute the preparations to be injected to attain the above requirements. Make injections with a micrometer syringe.

(4) *Conduct of the test, blood sugar determination, and interpretation of the data.* Proceed as directed under paragraph (b) (4), (5) and (6) of this section for protamine zinc insulin, except that the samples of blood for the determination of blood sugar concentrations are obtained over a period of not less than 10 hours, instead of 11 hours, after the injection, and in the interpretation of the data the index for each bleeding time other than the last is between 0.85 and 1.15 and the average of the indexes is between 0.90 and 1.10.

(f) *Identification of protamine zinc insulin.* Acidify protamine zinc insulin so that the pH is not less than 2.5 and not more than 3.5. The precipitate dissolves giving a clear colorless liquid. Inject subcutaneously into 6 rabbits, from which food has been withheld for the previous 18 to 24 hours and which weigh 1.8 to 2.2 kilograms each, a quantity of this clear liquid which causes convulsions in at least 3 animals. Immediately after convulsions occur in an animal, inject intravenously into that animal 5 cubic centimeters of a 50 percent aqueous solution of dextrose. The convulsion is relieved and a majority of the animals which have shown convulsions remain alive for at least 3 days.

(g) *Identification of globin insulin (with zinc).* Adjust the acidity of globin insulin (with zinc) so that the pH is not less than 4.5 and not more than 5.5. A precipitate forms. Divide the sample containing the precipitate into two portions. Adjust the acidity of the first sample to a pH not less than 2.5 and not more than 3.5 and adjust the second sample to a reaction more alkaline than pH 11.0. In each case the precipitate dissolves giving a clear solution.

Inject subcutaneously into 6 rabbits, from which food has been withheld for the previous 18 to 24 hours and which weigh 1.8 to 2.2 kilograms each, a quantity of globin insulin (with zinc) which will cause convulsions in at least 3 animals. Immediately after convulsions occur in an animal, inject intravenously into that animal 5 cubic centimeters of a 50 percent aqueous solution of dextrose. The convulsion is relieved and a majority of the animals which have shown convulsions remain alive for at least 3 days.

(h) *Sterility of protamine zinc insulin and globin insulin (with zinc)—(1) Preparation of media.* Use one of the following media:

(i) *Fluid thioglycollate medium (Brewer).* Prepare broth base from the

following ingredients, in the proportions indicated:

	Grams
Ground fresh beef (freed of fat)-----	500
Sodium chloride-----	5
Dipotassium phosphate ( $K_2HPO_4$ , anhydrous)-----	2
Peptone-----	10
	Cubic centimeters
Distilled water-----	1,000

Mix the ground meat thoroughly in the distilled water and allow to stand at 5° C. for 24 hours. Collect the liquid by straining through cloth and heat it for one hour in flowing steam, then for 30 minutes at not less than 15 pounds pressure (121° C.). Filter while hot through moistened filter paper and make up to the original volume with distilled water. Add the remaining ingredients and stir until solution is completed. So adjust the reaction with sodium hydroxide solution that the pH of the completed broth base is 7.5. Heat in flowing steam for 30 minutes and clear by filtration. If the broth base is to be stored, it is then sterilized at not less than 15 pounds pressure (121° C.) for not less than 20 minutes.

To 1,000 cubic centimeters of this broth base add the following ingredients:

	Grams
Dextrose (anhydrous)-----	10.0
Sodium thioglycollate-----	1.0
Agar (less than 15 percent moisture by weight)-----	.5
	Cubic centimeter

Methylene blue (certified by Commission on Standardization of Biological Stains), 0.2 percent solution----- 1.0

Add the agar to the broth base, mix well, and dissolve by heating gradually to the boiling point. Cool to approximately 80° C. and add the remaining ingredients. Stir until solution is completed and ingredients are uniformly distributed. So adjust the reaction with sodium hydroxide solution that the pH of the completed and sterile medium is not less than 7.4 and not more than 7.6.

(ii) *Fluid thioglycollate medium (Linden).* Prepare this medium from the following ingredients, in the proportions indicated:

	Grams
Peptone-----	20.0
Dextrose (anhydrous)-----	5.0
Yeast extract (dehydrated)-----	2.0
Sodium thioglycollate-----	1.0
Sodium chloride-----	5.0
Agar (less than 15 percent moisture by weight)-----	.5
Dipotassium phosphate ( $K_2HPO_4$ , anhydrous)-----	2.5
	Cubic centimeters
Distilled water-----	1,000.0
Methylene blue (certified by Commission on Standardization of Biological Stains), 0.2 percent solution-----	1.0

Dissolve the agar in half the volume of distilled water by boiling or heating in flowing steam. Dissolve the remaining ingredients, except the methylene blue, in the remaining water with the aid of heat and mix the two solutions. So adjust the reaction with sodium hydroxide solution that the pH of the completed and sterile medium is not less than 7.4

and not more than 7.6. Filter clear while hot and add the methylene blue solution.

(iii) *Dehydrated media.* Any medium prepared from dehydrated materials which, when it is reconstituted for use, has growth-promoting, buffering, and oxygen tension controlling properties at least equal to those of either of the above media.

(iv) In the preparation of any of the foregoing media avoid all contamination with calcium. Do not use sodium thioglycollate which is yellow or yellowish-brown or has an abnormal odor.

(2) *Conduct of the test.* Using straight-walled, slender tubes of appropriate size, place in each, 15 cubic centimeters of the medium to be used for the sterility test and sterilize in an autoclave at not less than 15 pounds pressure (121° C.) for not less than 20 minutes. Test tubes 150 by 20 millimeters are satisfactory for this purpose.

After removal of the tubes from the autoclave, allow to cool to below 25° C. in order to set the agar. Store, protected from excessive light, at a temperature of not less than 15° C. and not more than 30° C. (storage at low temperatures increases absorption of atmospheric oxygen). If more than 20 percent of the uppermost portion of the medium has changed to a green color, it is not suitable for use. Under such circumstance one reheating in flowing steam to drive off the absorbed oxygen is permissible.

Test each lot of medium for its growth-promoting qualities by a trial run. Discard the medium unless it supports growth when inoculated with 1 cubic centimeter of 1:100,000 dilution of a 24-hour broth culture of *Clostridium novyi* and also when inoculated with 1 cubic centimeter of a 1:100,000 dilution of a 24-hour broth culture of *Escherichia coli*.

Test the sterility of protamine zinc insulin and globin insulin (with zinc) by inoculating 1 cubic centimeter thereof into each tube of medium used, under strict aseptic precautions. Incubate all tubes at 37° C. for seven days and examine on the second, fourth, and seventh days after inoculation. Agitate only after 48 hours' incubation to insure initial anaerobiosis. If at the end of the seven days 50 percent or more of the medium in any tube has changed from the color of the fresh medium to a green color, discard the test.

(i) *Chloride in globin hydrochloride—*

(1) *Conduct of the test.* Weigh accurately approximately 0.5 gram of globin hydrochloride into a small beaker and dissolve in 10-15 cubic centimeters of distilled water. Add 10 cubic centimeters of tenth-normal silver nitrate, 5 cubic centimeters of nitric acid, and 5 cubic centimeters of a saturated solution of potassium permanganate. Stir and place on a steam bath for approximately one hour. If any brown color remains, stir again, rinse the sides of the beaker with distilled water and place on the steam bath until the brown color disappears. Transfer quantitatively to a 50-cubic centimeter volumetric flask and fill the flask to the mark with distilled water. Mix and filter through a dry filter paper into a dry vessel. Transfer



exactly 40 cubic centimeters of the filtrate to a flask, add 2 cubic centimeters of ferric ammonium sulfate Test Solution and titrate with tenth-normal ammonium thiocyanate. To obtain the percent chloride as HCl, subtract 1.25 times the number of cubic centimeters of ammonium thiocyanate used from 10; multiply this difference by 0.365 and divide by the weight of the sample in grams.

(2) *Reagents.* The reagents used are those described in the United States Pharmacopoeia.

(j) *Sulfate in protamine*—(1) *Conduct of test.* Weigh accurately about 10 milligrams of protamine into a small casserole or beaker, add 0.2 cubic centimeter of normal sodium hydroxide and evaporate carefully to dryness. Heat over a flame until a grayish-white ash results. Dissolve the ash in 1 cubic centimeter of tenth-normal hydrochloric acid, transfer quantitatively to a 50-cubic centimeter calibrated centrifuge tube, neutralize to litmus and make the volume to 10 cubic centimeters with distilled water.

To the neutral solution add 2 cubic centimeters of benzidine test solution, referred to in subparagraph (2) of this paragraph, and 4 cubic centimeters of 95 percent (w/v) solution of acetone in distilled water. Allow to stand for 10 minutes and centrifuge for not less than 15 minutes at approximately 3,000 revolutions per minute. Carefully remove the supernatant fluid by means of a pipette having a very small opening at the tip. Wash the precipitate twice, using 10 cubic centimeters of 95 percent acetone for each washing. Carefully remove the supernatant acetone and place the tube in a boiling water bath until the odor of acetone disappears. Suspend the precipitate with 10 cubic centimeters of distilled water, introduce 1 drop of phenolphthalein test solution U. S. P. and titrate while hot with fiftieth-normal sodium hydroxide to the first faint permanent pink, observing carefully whether all particles of the benzidine sulfate precipitate have dissolved and, if not, reheating to bring the last traces into solution. Use a burette graduated in divisions of not more than 0.05 cubic centimeter so that readings can be estimated to 0.01 cubic centimeter.

Each cubic centimeter of fiftieth-normal sodium hydroxide is equivalent to 0.960 milligram of sulfate ( $\text{SO}_4$ ). Calculate the results to a moisture-free basis.

(2) *Reagent.* Benzidine test solution. Dissolve 4 grams of benzidine in 45 cubic centimeters of normal hydrochloric acid and dilute to 250 cubic centimeters with distilled water. Before use, remove by filtration through ash-free filter paper any brown residue present.

(k) *Sulfate in protamine zinc insulin.* Place an accurately measured quantity of 5 to 10 cubic centimeters of well mixed protamine zinc insulin in a small casserole or beaker. Add 0.2 cubic centimeter of normal sodium hydroxide and evaporate carefully to dryness. Heat over a flame until a grayish-white ash results. Dissolve the ash in 1 cubic centimeter of tenth-normal hydrochloric acid, transfer quantitatively to a 25-cubic centimeter volumetric flask and add concentrated ammonium hydroxide dropwise until the solution is faintly pink, and then intro-

duce 5 cubic centimeters of 5 percent (w/v) solution of ammonium chloride in distilled water. Fill the flask to the mark with distilled water, mix and pour the liquid into a dry Erlenmeyer flask containing approximately 0.65 gram of finely powdered basic magnesium carbonate. Shake for one minute and transfer to a 9-centimeter filter paper, fitted into a funnel, enough of the suspension to approximately fill the filter paper. Collect the filtrate in the same flask from which the suspension was transferred until the filtrate becomes clear. Then begin the collection in a dry flask until filtration is complete. Transfer 10 to 15 cubic centimeters of the filtrate to a 50-cubic centimeter calibrated centrifuge tube and neutralize to litmus with sodium hydroxide. Proceed from this point with the test as described in paragraph (g) (1) for sulfate in protamine beginning with the sentence "To the neutral solution \* \* \*".

(l) *Total nitrogen in protamine zinc insulin and globin insulin (with zinc).* Determine total nitrogen by the method described in the United States Pharmacopoeia for insulin U. S. P.

(m) *Total nitrogen in protamine and globin hydrochloride.* Determine total nitrogen by the method described in the United States Pharmacopoeia for insulin U. S. P., except that the sample taken for analysis is approximately 25 milligrams and the quantity of fiftieth-normal acid used is 25 cubic centimeters.

(n) *Zinc in insulin-containing solutions, in protamine zinc insulin, and in globin insulin (with zinc).* Use the method described in the United States Pharmacopoeia for insulin U. S. P.

(o) *Zinc in insulin-containing solids.* Dissolve 10 to 20 milligrams, accurately weighed, of insulin-containing solids in 5 to 10 cubic centimeters of distilled water containing 1 drop of five-normal hydrochloric acid, and proceed as directed in the United States Pharmacopoeia under the test for zinc in insulin U. S. P.

(p) The Commissioner shall, for the purposes of the tests and assays prescribed under this section, provide a suitable reference protamine and a suitable reference globin hydrochloride, and shall, at cost, furnish any person making written request therefor a sample thereof.

The foregoing regulations in this part shall become effective on the date of the publication of this order in the FEDERAL REGISTER.

Dated: August 24, 1943.

[SEAL]

PAUL V. McNUTT,  
Administrator.

[F. R. Doc. 43-13925, Filed August 26, 1943;  
10:28 a. m.]

## TITLE 29—LABOR

### Subtitle A—Office of the Secretary of Labor

#### PART 4—DETERMINATIONS RELATING TO OVERTIME, SUNDAY, AND HOLIDAY PAY

##### FRUIT AND VEGETABLE PACKING AND CANNING INDUSTRIES

Upon application of interested parties for an exemption of the Fruit and Vege-

table Packing and Canning Industries from the provisions of Executive Order 9240 and after an investigation and consideration of the relevant factors bearing upon this application, I find that the nature and exigencies of operations in these Industries make it necessary and advisable for the successful prosecution of the war to determine that the provisions of Executive Order 9240 (7 F.R. 7159) shall not apply to the Fruit and Vegetable Packing and Canning Industries as defined herein.

Now, therefore, by virtue of the power vested in me by Executive Order 9248 (7 F.R. 7419), it is ordered that in the case of an employer engaged in the first processing of, or in canning or packing, perishable or seasonal fresh fruits and vegetables, the provisions of Executive Order 9240 shall not apply to his employees in any place of employment where he is so engaged.

Dated: August 25, 1943.

FRANCES PERKINS,  
Secretary of Labor.

[F. R. Doc. 43-13947; Filed, August 26, 1943;  
11:43 a. m.]

### Chapter IX—War Food Administration (Agricultural Labor)

#### PART 1104—SALARIES AND WAGES IN THE PICKING OF GRAPES FOR SUN DRIED RAISINS

##### WORKERS IN CERTAIN CALIFORNIA COUNTIES

Public notice with respect to increases in wages of pickers of grapes for sun dried raisins in Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus and San Joaquin Counties, State of California.

Pursuant to the authority contained in the Act of October 2, 1942, entitled "An Act to amend the Emergency Price Control Act of 1942, to aid in preventing inflation, and for other purposes" (Pub. Law 729, 77th Cong.); Executive Order 9250 of October 3, 1942 (7 F.R. 7871); the regulations of the Economic Stabilization Director, approved by the President on October 27, 1942 (7 F.R. 8748), as amended November 30, 1942 (7 F.R. 10024); Executive Order 9322 of March 26, 1943 (8 F.R. 3807); and Executive Order 9334 of April 19, 1943 (8 F.R. 5423); and based upon relevant facts submitted to me by The Wage Board for California of the United States Department of Agriculture and by other sources, it is hereby determined that:

§ 1104.1 *Area, crop and classes of workers.* Persons engaged in the picking of grapes for sun dried raisins in Kern, Kings, Tulare, Fresno, Madera, Merced, Stanislaus and San Joaquin Counties, State of California, are agricultural workers as defined in § 4001.1 (1) of miscellaneous amendments of November 30, 1942 (7 F.R. 10024), to the regulations of the Economic Stabilization Director, approved by the President on October 27, 1942 (7 F.R. 8748).

§ 1104.2 *Wage rates.* The wages of the grape pickers in the counties mentioned in § 1104.1 are not substandard and no increases in the wages paid to such grape pickers in the counties stated



shall be made above the maximum wage rates set forth below without the approval of the War Food Administrator under the procedure provided for herein:

*Wage Rates for Picking Grapes for Sun Dried Raisins*

(a) *For Thompson and Sultana varieties.* Trays per unit:

- (1) 500 or over 5 cents per tray.
- (2) 400 to 500  $5\frac{1}{4}$  cents per tray.
- (3) 300 to 400  $5\frac{1}{2}$  cents per tray.
- (4) 200 to 300  $5\frac{3}{4}$  cents per tray.
- (5) Less than 200 6 cents per tray.

(b) *For Muscat variety.* Trays per unit:

- (1) 500 or over  $6\frac{1}{2}$  cents per tray.
- (2) 400 to 500  $6\frac{3}{4}$  cents per tray.
- (3) 300 to 400 7 cents per tray.
- (4) 200 to 300  $7\frac{1}{4}$  cents per tray.
- (5) Less than 200  $7\frac{1}{2}$  cents per tray.

As used herein the word unit means 500 bearing vines and the word tray means a tray containing 22 pounds of fresh grapes.

§ 1104.3 *Applications for adjustments.*

Any appeals for relief from hardships resulting from this determination and any applications for adjustment in such wages shall be filed by the employer or employee with the Wage Board for California of the United States Department of Agriculture, 2288 Fulton Street, Berkeley, California, which Board, after conducting such investigation as may be required and reviewing such applications or appeals, shall have the authority to make such determinations as are consistent with the intent of this order. Each such ruling shall be final, subject only to the War Food Administrator's right of review on his own initiative. Any reversal or modification of such ruling by the War Food Administrator shall take effect from the date of its issuance; *Provided, however,* That if a ruling denying an application for permission to make a wage increase is overruled, the final ruling by the War Food Administrator shall incorporate the effective date of the adjustment.

§ 1104.4 *Delegation of authority.* (a) The Wage Board for California of the United States Department of Agriculture, hereinafter called the Board, is hereby authorized to act on behalf of the War Food Administrator, hereinafter called the Administrator, to conduct hearings, in accordance with the procedure set forth in § 1104.5 for the purpose of making findings of fact and recommendations with respect to alleged violations of §§ 1104.1 to 1104.3, both inclusive.

(b) Three members of the Board shall constitute a quorum for the purpose of conducting such hearings and the chairman of the Board shall act as presiding officer at the hearings, administer oaths and affirmations, and rule on motions, requests, and on the admission and exclusion of evidence.

§ 1104.5 *Procedure*—(a) *Preliminary investigation.* Preliminary investigations of alleged unlawful wage or salary payments shall be made by representa-

tives of the Administrator. Each such report of investigation shall be submitted to the Regional Attorney, United States Department of Agriculture, for consideration. He shall forward the report, with his recommendations, to the Board. If, after consideration of the report and the recommendations, the Board is of the opinion that there is reasonable cause to believe that a violation has occurred, the Board shall request the alleged violator to appear at a hearing before the Board.

(b) *Notice.* Notice of the hearing shall be served on the alleged violator not less than ten (10) days prior to the date of the hearing. Such notice shall set forth (1) the time and place of the hearing, (2) a concise statement of the allegations of fact which constitute a basis for the proceeding, (3) a statement informing the alleged violator that he may be represented by counsel at the hearing and will be given full opportunity to present written or oral testimony and to examine and cross-examine witnesses on all matters relating to the charge, and (4) a statement informing the alleged violator that failure to appear will not preclude the Board from taking testimony, receiving proof and making findings and recommendations with respect to the charges.

(c) *Conduct of the hearing.* The rules of evidence prevailing in courts of law and equity shall not be controlling. The test of admissibility shall be the reliability, relevancy, and probative force of the evidence offered.

All testimony shall be given under oath and a written transcript of the hearing shall be made.

The presiding officer shall afford reasonable opportunity for cross-examination of the witnesses. At the close of the hearing, the presiding officer may, at his discretion, allow a short period for the presentation of oral argument or for a summary of the facts disclosed at the hearing and if he deems it advisable, may allow briefs to be filed within a period prescribed by him, not to exceed five (5) days.

(d) *Findings and recommendations.* Upon conclusion of the hearing, if a majority of the Board is satisfied that the charge has been sustained by a preponderance of the evidence, it shall find accordingly. Findings of fact and recommendations shall be prepared, subscribed by the concurring members of the Board and submitted to the Administrator, together with a transcript of the proceedings. A copy of the findings of fact and recommendations shall be served on the alleged violator. After consideration of the findings and recommendations, the Administrator shall determine whether the alleged violator has made salary or wage payments in contravention of §§ 1104.1 to 1104.3, both inclusive. A copy of such determination shall be served by registered mail on the alleged violator.

(e) *Petition for reconsideration.* Within five (5) days after receipt of a copy of the Administrator's determination, the alleged violator may file with the War Food Administrator, Washington, D. C., a petition for reconsideration

of such determination. Such petition may be accompanied by any affidavits or briefs which the alleged violator desires to submit. Within a reasonable time after receiving such a request for reconsideration, the Administrator shall affirm, modify or reverse his original determination, or direct a further hearing to be held. Such further hearing shall follow the procedure prescribed for the original hearing. The determination of the Administrator shall be final and shall not be subject to review by The Tax Court of the United States or by any court in any civil proceedings.

(f) *Transmittal of determination to other Government agencies.* If a petition for reconsideration is not filed within the period stated above, or if a petition for reconsideration is filed and the Administrator affirms his original determination, he shall forward his determination to the violator, to the Commissioner of Internal Revenue, and, in appropriate cases, to the Attorney General for consideration of criminal prosecution.

§ 1104.6 *Effect of unlawful payments*—(a) *Amounts disregarded.*

In any case where the Administrator determines that a salary or wage payment has been increased in contravention of §§ 1104.1 to 1104.3, both inclusive, the amount of the salary or wage paid or accrued at the increased rate, shall be disregarded by all executive departments and all other agencies of the Government for the purposes of:

(1) Determining costs or expenses of the employer for the purpose of any law or regulation, either heretofore or hereafter enacted or promulgated, including the Emergency Price Control Act of 1942, or any maximum price regulation thereof;

(2) Calculating deductions under the revenue laws of the United States; or

(3) Determining costs or expenses under any contract made by or on behalf of the United States.

(b) *Criminal penalties.* Any person, whether an employer or an employee, who wilfully violates any provision of §§ 1104.1 to 1104.3, both inclusive, shall, upon conviction thereof, be subject to a fine of not more than \$1,000, or to imprisonment for not more than one year, or to both such fine and imprisonment.

§ 1104.7 *Further delegations of authority by the Administrator.* Any or all functions, powers, or duties reserved to the Administrator by these regulations may be delegated by the Administrator to such other person or persons as he may designate.

(Pub. Law 729, 77th Cong.; E.O. 9250, 7 F.R. 7871; Regulations of the Director of Economic Stabilization, dated Oct. 27, 1942, 7 F.R. 8748, as amended on Nov. 30, 1942, 7 F.R. 10024; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423)

Issued this 26th day of August 1943.

MARVIN JONES,  
War Food Administrator.

[F. R. Dec. 43-13333; Filed, August 26, 1943; 11:21 a. m.]



## Chapter VI—National War Labor Board

[Gen. Order 30]

## PART 803—GENERAL ORDERS

## INCREASES IN WAGE OR SALARY RATES

General Order No. 30 is hereby amended by striking from the end thereof the words "provided that such increases shall not furnish a basis either to increase price ceilings of the commodity or service involved or to resist otherwise justified reductions in such price ceilings," so that it shall read as follows:

§ 803.30 *General Order No. 30.* In accordance with the provisions of section 4 of Title II of Executive Order 9250, increases in wage or salary rates which do not bring such rates above 40¢ per hour may be made without the approval of the National War Labor Board.

(E.O. 9250, 7 F.R. 7871)

Adopted August 23, 1943.

L. K. GARRISON,  
*Executive Director.*

[F. R. Doc. 43-13919; Filed, August 26, 1943;  
10:35 a. m.]

## TITLE 32—NATIONAL DEFENSE

## Chapter IX—War Production Board

## Subchapter C—Director of War Utilities

## PART 4500—POWER

[GENERAL DIRECTIVE 2 UNDER LIMITATION ORDER L-31]

## NATURAL GAS IN APPALACHIAN AREA

Whereas, because of an increasing shortage of natural gas in the Appalachian area, the following restrictions upon deliveries, acceptance and use of natural gas in such area are necessary in order to protect gas deliveries to war industries and essential civilian services:

Now, therefore, pursuant to the provisions of paragraph (e) (5) of Limitation Order L-31: *It is ordered and directed:*

§ 4500.15 *General Directive No. 2 under Limitation Order L-31.* (a) From and after September 30, 1943, except as otherwise directed by the War Production Board, no person situated in the Appalachian area shall accept deliveries of natural gas to be employed as fuel in boilers, or shall utilize gas for such purpose, and no utility or non-utility supplier shall deliver natural gas to any person in the Appalachian area for such purpose, where the aggregate quantity of gas consumed by any such person as fuel in boilers exceeded 100,000 cubic feet in any one day during the 12-month period preceding August 26, 1943 or where there is reason to believe that subsequent to this date in excess of 100,000 cubic feet will be consumed in any day by such person as fuel in boilers.

(b) Any person affected by the provisions of paragraph (a) of this directive may, on or before September 10, 1943, file with the Office of War Utilities, War Production Board, an application on

Form WPB-3177 for exemption or relief from the provisions of paragraph (a) on the ground that the gas-fired equipment of such consumer cannot be converted to the use of coal because of technological factors or that such conversion can be accomplished only with exceptional expense or hardship. The filing of such an application within the time provided above shall operate to suspend the effectiveness of paragraph (a) as to the applicant, until such time as the application has been denied in whole or in part by the War Production Board and the consumer's status thereby definitively determined.

(c) As used in this directive, Appalachian area shall include the States of Virginia, West Virginia, Maryland, Ohio, Pennsylvania, New York, the District of Columbia, and the following counties of the State of Kentucky: Bourbon, Boyd, Bracken, Bullitt, Campbell, Carter, Clark, Fayette, Floyd, Franklin, Greenup, Hardin, Harrison, Jefferson, Johnson, Kenton, Knott, Lawrence, Lewis, Martin, Mason, Magoffin, Meade, Menifee, Montgomery, Morgan, Pendleton, Pike, Scott, Shelby, and Woodford.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 176; E.O. 9024, 7 F.R. 329; E.O. 9125, 7 F.R. 2719; WPB Reg. 1 as amended March 24, 1943, 8 F.R. 3666; Pri. Reg. 1 as amended May 15, 1943, 8 F.R. 6727)

Issued this 26th day of August 1943.

WAR PRODUCTION BOARD,  
By J. JOSEPH WHELAN,  
*Recording Secretary.*

[F. R. Doc. 43-13921; Filed, August 26, 1943;  
10:39 a. m.]

## PART 1315—RUBBER AND PRODUCTS AND MATERIALS OF WHICH RUBBER IS A COMPONENT

[RO 1A,<sup>1</sup> Amdt. 48]

## TIRES, TUBES, RECAPPING AND CAMELBACK

A rationale for this amendment has been issued simultaneously herewith and has been filed with the Division of the Federal Register.\*

Ration Order No. 1A is amended in the following respects:

1. Section 1315.201 (a) (22) is amended by inserting the phrase "Grade C or" after the word "means".

2. Section 1315.201 (a) (36) is amended by deleting the phrase "or Grade C".

3. Section 1315.506 (a) (1) (ii) is added to read as follows:

(ii) No certificates for recapping service may be issued for tires to be mounted on farm tractors or farm implements.

4. Section 1315.806 (n) is revoked.

This amendment shall become effective August 25, 1943.

(Pub. Law 671, 76th Cong., as amended by Pub. Laws 89, 421 and 507, 77th Cong.;

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup> 7 F.R. 9752, 10079, 10085; 8 F.R. 10264, 10430, 10733.

E.O. 9125, 7 F.R. 2719, issued April 7, 1942, WPB Dir. No. 1, 7 F.R. 562, Supp. Dir. No. 1Q, 7 F.R. 9121)

Issued this 25th day of August 1943.

CHESTER BOWLES,  
*Acting Administrator.*

[F. R. Doc. 43-13898; Filed, August 26, 1943;  
2:52 p. m.]

## PART 1340—FUEL

[MPR 189,<sup>1</sup> Amdt. 17]

## BITUMINOUS COAL SOLD FOR DIRECT USE AS BUNKER FUEL

A statement of considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Maximum Price Regulation No. 189 is amended in the following respect:

In § 1340.313 (c) (3), the date, August 25, 1943, is amended to read December 31, 1943.

This amendment shall be effective August 25, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of August 1943.

CHESTER A. BOWLES,  
*Acting Administrator.*

[F. R. Doc. 43-13899; Filed, August 25, 1943;  
2:52 p. m.]

## PART 1381—SOFTWOOD LUMBER

[Rev. MPR 19,<sup>2</sup> Amdt. 5]

## SOUTHERN PINE LUMBER

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.\*

Revised Maximum Price Regulation 19, Southern Pine Lumber, is amended in the following respects:

1. A new section 5a is added, to read as follows:

SEC. 5a. *Distributors' direct-mill sales*—(a) *Prices*—(1) *Wholesalers.* On direct-mill sales of southern pine lumber made by a wholesaler, the wholesaler may add 6 percent (but not more than \$3.00 per M) to the regular f. o. b. mill prices in the price tables. For example, if the price in the tables is \$30, the ceiling price on a sale made by a wholesaler is \$31.80.

(2) *Commission men.* On direct-mill sales of southern pine lumber made through commission men, the ceiling price is 4 percent (but not more than \$2 per M) higher than the regular f. o. b. mill price in the price tables. The mill must allow the commission man a commission at least equal to the excess over

<sup>1</sup> 8 F.R. 2973, 5566, 6444, 6842, 8504, 8680, 10936, 11143.

<sup>2</sup> 8 F.R. 5536, 6019, 6544, 8979, 10732.



the regular f. o. b. mill price. For example, if the price in the tables is \$30, the mill's ceiling on a sale made through a commission man is \$31.20 and the mill must allow the commission man at least \$1.20.

(3) *Yards.* On direct-mill sales of southern pine lumber made by wholesale or retail distribution yards, a mark-up of 6 percent (but not more than \$3 per M) may be made to the regular f. o. b. mill price in the price tables. This applies only to carload quantities (if by rail) or quantities of 18,000 feet or more if by truck. (As to smaller quantities see section 6 below.)

(4) *Mill's price or realization.* This section increases maximum prices only on sales by wholesalers, commission men or yards. It does not in any way affect the price that may be charged by mills. The mill's price (or realization after deducting the 4 percent commission) may never be higher than the regular price in the price tables. Moreover, although the mill may sell at a price or realization less than its regular ceiling, it is never required to do so.

(b) *Definitions.*—(1) *Wholesaler.* For purposes of this section, a wholesaler is a person 75 percent of whose volume of lumber sales during all of the first six months of 1943, or during all of the year 1942, were sales in which he bought lumber from mills or concentration yards, took title to it, and delivered it directly to the buyer in substantially the same form in which it was bought. (The 6 percent increased price in paragraph (a) (1) applies only to this kind of sale.)

(2) *Commission man.* A commission man is a person who, during the first six months of 1943, or during all of the year 1942, represented and sold lumber for two or more mills or concentration yards at the same time, receiving his compensation in the form of commissions based on the amount or value of the lumber sold; who was independent of both buyer and seller; and 75 percent or more of whose business during either the first six months of 1943 or during the year 1942 consisted of the direct-mill sale of lumber in wholesale quantities.

(c) *Exceptions in case of financial control.* This section 5a does not in any case apply to the sale of lumber manufactured or concentrated by a mill or concentration yard controlled by the distributor, or controlling the distributor, or under common control with the distributor.

(d) *New distributors.* Any person who cannot meet the definitions of wholesalers or commission men may make special application to the Lumber Branch, Office of Price Administration, Washington, D. C. He may be given permission to qualify as one or the other, if he meets the following tests: He must provide evidence from banks or others, showing adequate financial responsibility. He must also agree with the Central Procuring Agency to fill orders totaling at least 1,000,000 feet of southern pine lumber for delivery within six months. If authorization is granted, the 6 percent or 4 percent addition to the price, as the case may be, must be held in escrow by a bank or other third party until the en-

tire 1,000,000 feet of lumber has been successfully delivered within the six months' period. If this quantity is not successfully delivered within six months, the 6 percent or 4 percent addition will be returned to the buyers.

The authorization will not be granted if it appears that the purpose of the application is to evade the regulation by interposing an unnecessary middleman in the distribution of lumber, who will not in fact render the services characteristically rendered by the type of distributor in question. (For a corresponding provision on setting up new distribution yards, see section 2 (c).)

(e) *Effect on out-of-stock yard sales.* In computing maximum prices under Maximum Price Regulation 215, Distribution Yard Sales of Softwood, yards may increase the regular f. o. b. mill prices of southern pine lumber in the price tables by 4 percent (but not more than \$2.00) before applying the mark-ups in Maximum Price Regulation 215. For example, if the f. o. b. mill price is \$30, and if the sale is the type which carries a \$5 and 10 percent mark-up in Maximum Price Regulation 215, a yard in figuring its price on southern pine under Maximum Price Regulation 215 may begin with \$31.20 instead of \$30, then add freight and the \$5 handling charge, and finally apply the 10 percent mark-up to the total.

(f) *Pyramiding prohibited.* The price additions in paragraph (a) may not be made more than once to the same price, regardless of the number of people participating in the transaction. For example, if a commission man sells a car of \$30 lumber to a yard, who in turn sells it to a consumer, for direct-mill shipment, the mill's ceiling price on the sale through the commission man is \$31.20 (4 percent addition) and the yard's ceiling price to the consumer is \$31.80 (6 percent addition). In other words, the yard cannot add its 6 percent to the \$31.20, but only to the regular f. o. b. mill price of \$30.00.

Moreover, none of the additions in paragraph (a) may be applied above the addition for direct-mill retail sales in section 6 below.

(g)  *invoicing.* The invoice on any distributor's direct-mill sale must be plainly marked "wholesaler's direct-mill sale", or "commission man's direct-mill sale" or "yard's direct-mill sale", as the case may be.

(h) *Licenses.* Wholesalers, commission men and yards are licensed under section 18. This means that if, for example, they ship lumber that is not up to grade and scale, they may, subject to the rules as to warning and other rules and procedures about suspension of licenses, lose their right not only to the price addition but even to continue in business.

The effective date of this amendment shall be August 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13902; Filed, August 23, 1943; 2:51 p. m.]

# PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 183, Amdt. 3]

## PUERTO RICO; TEXTILE BAGS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 49 is added to read as follows:

Sec. 49. *Maximum prices for second hand bags sold or delivered in the Territory of Puerto Rico.*—(a) *Definitions.* When used in this section 49 the term:

(1) "Second hand bag" means an empty container composed of burlap, jute, sisal, istle, cotton cloth, gunny cloth, or other textile material which has either been previously used to package any commodity or is manufactured from any such textile material which material itself has been previously used to package any commodity or for any other commercial purpose. The term shall include an "unmendable" bag. It shall not include a bag containing a commodity packaged therein nor a container composed of any of the above textile materials which material has deteriorated to an extent that it is no longer sufficiently sound for reuse as a container, commonly referred to by the trade as "junk" or "waste" material.

(2) "Collector" means any person who gathers second hand bags from persons, who remove the contents from the bags, known in the trade as "emptiers".

(3) "Bag dealer" means any person who processes, reconditions, or places second hand bags in condition for reuse.

(4) "Consumer" means any person who uses second hand bags for packaging a commodity therein.

(5) "Capacity" means the number of pounds of the product which the bag was constructed to contain.

TABLE 40.—MAXIMUM PRICES FOR SECOND HAND BAGS

	Capacity over 100 lbs. per bag
Capacity 100 lbs. and less:	
To collectors, \$0.10 per bag	\$0.18
To dealers, \$0.12 per bag	.21
To consumers, \$0.165 per bag	.23

This amendment shall become effective as of August 12, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13902; Filed, August 25, 1943; 2:51 p. m.]

# PART 1418—TERRITORIES AND POSSESSIONS

[RMFR 183, Amdt. 4]

## PUERTO RICO; CANNED FRUITS AND VEGETABLES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith,

\*Copies may be obtained from the Office of Price Administration.

18 F.R. 8532, 10763, 10308, 10337.



has been filed with the Division of the Federal Register.  
Revised Maximum Price Regulation 183 is amended in the following respects:

- Section 20 Table 3 is amended by changing the price to wholesaler of Canned fruit salad, S. & W. Case of 24 #2½ cans from "\$9.40" to "\$9.50".
- Section 20 Table 3 is amended by changing the price at wholesale of all to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned apples: S & W (BAK-A Special).....	Case of 6/10 cans.....	\$5.00	\$5.75	Per can \$1.25
Canned peaches: Century Yellow Oling (Halves) S & W.....	Case of 6/10 cans.....	5.55	6.35	1.33
Canned fruit cocktail: S & W.....	Case of 6/10 cans.....	6.30	7.25	1.57
Canned pineapple: Sliced: S & W.....	Case of 21/2½ cans.....	6.35	7.30	.40
S & W.....	Case of 21/2½ cans.....	5.20	6.00	.32

#### 4. Section 21 Table 4 is amended to read as follows:

TABLE 4.—MAXIMUM PRICES FOR CERTAIN FRUIT JUICES

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Grapefruit juice: Double Hill Brand, natural un-sweetened.....	Case of 21/2½ cans.....	\$2.25	\$2.05	Per container \$0.15
Pear juice: Golden Flow.....	Case of 21/2½ oz. (glass).....	2.05	3.40	.18
Peach juice: Golden Flow.....	Case of 21/2½ oz. (glass).....	2.05	3.40	.18

#### 5. Section 24 Table 8 is amended by changing the title and by adding the category "Tomato puree", to read as follows:

TABLE 8.—MAXIMUM PRICES FOR CERTAIN TOMATO PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Tomato puree: S & W.....	Case of 6/10 cans.....	\$4.15	\$4.75	Per container \$1.00

#### 6. Section 24 Table 9 is amended by adding a new brand to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned tomato juice Hurff (Fancy).....	Case of 48/9 oz. tins.....	\$3.65	\$4.20	Per container \$0.11

\*Copies may be obtained from the Office of Price Administration.

7. Section 25 Table 10 is amended by adding new brands to the categories "Canned asparagus", "Canned beets", "Canned corn", "Canned peas", "Canned tomatoes", "Lima beans" and "String beans"; and by adding the categories "Canned asparagus tips", "Canned mixed vegetables", "Canned peas and carrots", all to read as follows:

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Canned asparagus: Del Monte (Early garden).....	Case of 21/2½ cans.....	\$7.10	\$8.17	Per container \$0.44
Sliced: S & W.....	Case of 21/2½ tall.....	6.76	7.76	.42
Libby (glass).....	Case of 21/16 oz.....	3.45	3.95	.21
Whole: S & W.....	Case of 21/2½ cans.....	3.76	4.30	.23
Libby.....	Case of 21/2½ cans.....	3.45	3.95	.21
Diced: S & W.....	Case of 21/2½ cans.....	2.94	3.38	.18
Deerfield.....	Case of 6/10 cans.....	2.00	3.00	.05
Whole midget: S & W.....	Case of 21/2½ cans.....	5.80	6.65	.30
Cut: Deerfield.....	Case of 21/2½ cans.....	2.05	3.40	.18
Deerfield.....	Case of 21/2½ cans.....	2.40	2.75	.15
Canned corn: Deloro whole kernel: S & W.....	Case of 21/2½ cans.....	4.10	4.05	.24
Country Gentleman whole kernel: Libby.....	Case of 21/2½ cans.....	3.60	4.10	.21
Canned peas: Garden Sugar: Libby.....	Case of 90/9 oz. cans.....	6.10	6.95	.00
Medium: S & W.....	Case of 6/10 cans.....	5.05	6.45	1.33
Canned tomatoes: Century: S & W.....	Case of 6/10 cans.....	4.05	4.60	1.00
Lima beans: Small green: Libby.....	Case of 21/2½ cans.....	4.05	4.65	.25
String beans: Vertical pack: S & W.....	Case of 21/2½ cans.....	5.40	6.20	.34
Extra Standard Florida Cut: Mountain fresh: S & W.....	Case of 21/2½ cans.....	3.65	4.20	.23
Canned asparagus tips: Del Monte (Early garden).....	Case of 21/4 square cans.....	7.83	8.00	.48
Del Monte (Oregon green).....	Case of 21/4 square cans.....	7.38	8.10	.43
Del Monte (Pacific small).....	Case of 18/10½ oz. cans.....	7.38	8.10	.21
Del Monte (Ponic early garden).....	Case of 18/10½ oz. cans.....	8.67	9.27	.21
Each: S & W.....	Case of 21/4 square cans.....	6.62	7.61	.41
Canned mixed vegetables: Libby.....	Case of 21/2½ cans.....	3.55	4.05	.22
Canned peas and carrots: Libby.....	Case of 21/16 oz. (glass).....	4.25	4.00	.25

#### 8. Section 39 Table 27a is added to read as follows:

TABLE 27a.—MAXIMUM PRICES FOR IMPORTED SPAGHETTI PRODUCTS

Items and brand names	Unit	Price to wholesaler	Price at wholesale	Retail price
Macaroni medium pastalina.....	15 kilos (bulk).....	\$6.59	\$7.63	Per lb. \$0.30
Spaguetines pastalina.....	15 kilos (bulk).....	6.63	7.63	.30
Soup paste pastalina (Finos rosas).....	12 kilos (bulk).....	5.23	6.07	.30
Entrefinos pastalina.....	20 kilos (30/400 gms. pkg.).....	9.21	10.69	Per 100 gms. .23
Espaguetines pastalina.....	20 kilos (30/400 gms. pkg.).....	9.21	10.69	.23



9. Section 44 Table 36 is amended by inserting the headings before the item "Garlic, white" to read as follows:

Sales to wholesalers (price per 50 lbs.)	Sales at wholesale (price per 50 lbs.)	Sales at retail (price per pound)

10. Section 48 (e) is added to read as follows:

(e) The direct cost of all lumber received in any one shipment shall be uniform despite variations in grade or dimensions unless the lumber has been purchased by the importer at different prices in accordance with varying grades and dimensions, in which case the differences in purchase price for such grades and dimensions may be reflected in the calculation of the direct cost.

This amendment shall become effective as of August 2, 1943, except for section 48 (e) which shall become effective August 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13904; Filed, August 25, 1943;  
2:53 p. m.]

#### PART 1418—TERRITORIES AND POSSESSIONS [MPR 373; Amdt. 12]

##### MAXIMUM PRICES IN THE TERRITORY OF HAWAII; KONA COFFEE

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

Section 46 is added to read as follows:

SEC. 46. *Maximum millers', producers' and roasters' prices for Kona coffee sold or delivered in the Territory of Hawaii—*

(a) *Records and reports.* Notwithstanding the provisions of section 11 of this Maximum Price Regulation 373, every person making sales of the commodities covered by this section 46 shall keep for inspection by the Office of Price Administration for a period of not less than one year complete and accurate records of each purchase and each sale made by such person, showing the date thereof, name and address of the buyer and seller, the grade or brand and the price paid or received. Millers and roasters shall report to the Office of Price Administration, Honolulu, all 1942-43 crop green coffee inventories held on July 31, 1943, and shall make such further reports as the Office of Price Administration may from time to time require.

(b) *Definitions.* When used in this section 46 the term:

(1) "Kona coffee" means all coffee produced in the Territory of Hawaii.

(2) "Roaster" shall be synonymous with the term "wholesaler."

\*Copies may be obtained from the Office of Price Administration.

78 F.R. 5388, 6359, 6849, 7200, 7457, 8064, 8550, 10270, 10666, 10984, 11247.

(3) "Crop year" for the purpose of this section 46 shall begin on August 1, 1943.

(c) *Gross income tax.* In the case of a sale to a buyer who does not have a gross income tax license, the seller may add to the maximum price one and one quarter percent (1¼%) of the selling price.

(d) *Geographical applicability.* The provisions of this section 46 shall be applicable to the entire Territory of Hawaii.

##### TABLE XXXIII—MAXIMUM PRICES FOR PARCHMENT, GREEN KONA AND KONA COFFEES

1. *Parchment coffee.* (a) The maximum price of parchment coffee, clean basis, delivered roadside shall be \$0.1161 per pound.

(1) This maximum price is based on 125 pounds of parchment coffee yielding 100 pounds of the following green grades:

Grade of green	Percent yield	Maximum price of green delivered roadside
No. 1 extra prime.....		Per lb.
Extra prime.....	77	\$0.1253
Peaberry.....	29	.1423
Prime.....	8	.123
No. 3X.....	5	.11
No. 3.....		

(1) Parchment coffee sold on a clean basis yielding grades higher than the percentages listed above may command a premium over the maximum price commensurate with the actual increased value. Should the yield be lower, a discount commensurate with the decreased value must be subtracted from the maximum price.

2. *Green coffee—(a) Used and returnable new bags.* All green coffee maximum prices established in this section 46 are for packing in good used bags, or in new bags returnable at the seller's expense. If the green coffee is sold in non-returnable new bags, or if the new bags are not returned, an additional charge of \$0.10 per bag may be made.

(b) *Shipments via Hilo.* All maximum prices established are for shipments via Hilo. In the case of shipments via Kailua, Hawaii, the maximum price shall be computed by subtracting \$0.0045 from the established maximum price. In the case of shipments from ports other than Hilo or Kailua, the maximum price will be established by the Office of Price Administration upon application of the seller or buyer.

(c) *War risk and marine insurance.* All maximum prices established (except f. o. b. mill) include an allowance of \$0.0021 per pound freight, \$0.15 per \$100.00 value marine insurance and \$0.50 per \$100.00 value war risk insurance calculated on the green coffee cost ex-deck Honolulu. These allowances are based on present freight and insurance rates. In the event that such rates are increased, increased costs actually incurred by the seller may be added. In the event such rates are reduced, the maximum price shall be correspondingly reduced.

(1) In the event that such rates are subsequently changed, war risk and marine insurance shall be calculated on a basis not higher than:

	per lb.
No. 1 extra prime.....	
Extra prime.....	\$0.181
Peaberry.....	
Prime.....	.17
No. 3X.....	.152
No. 3.....	.136

(d) *Grading.* No grades of green coffee other than specified in paragraph (c) may be sold without prior application to the Office of Price Administration for a maximum price.

(e) *Maximum prices.* The maximum prices for green coffee f. o. b. mill shall be as follows:

Grade	Maximum price per lb.
No. 1 extra prime.....	
Extra prime.....	\$0.1736
Peaberry.....	
Prime.....	.1632
No. 3X.....	.1448
No. 3.....	.1233

(1) The maximum prices for green coffee ex-deck Honolulu and ex-warehouse Honolulu shall be as follows:

Grade	Maximum price ex-deck Honolulu	Maximum price ex-warehouse Honolulu
No. 1 extra prime.....	Per lb.	Per lb.
Extra prime.....	\$0.1834	\$0.183
Peaberry.....		
Prime.....	.1719	.1725
No. 3X.....	.1532	.1538
No. 3.....	.1372	.1378

(2) The maximum price of green coffee, ungraded basis, delivered ex-deck Honolulu shall be \$0.17465 per pound.

(3) The maximum price of green coffee, ungraded basis, delivered ex-warehouse Honolulu shall be \$0.17525 per pound.

(4) The maximum price of green coffee delivered at points other than Honolulu shall not exceed the f. o. b. mill price plus transportation charges from mill to place of destination.

(5) The maximum price of green coffee sold in quantities of less than 5 bags (approximately 500 lbs.) shall be an amount not to exceed 5% above the maximum prices listed in paragraph (e); the maximum price of green coffee sold in quantities of less than one bag (approximately 100 lbs.) shall be an amount not to exceed 10% above the maximum prices listed in paragraph (e).

3. *Roasted Kona coffee.* (a) The maximum prices for bulk and packaged coffees established below in paragraphs (d) to (j), inclusive, apply to sales of coffees made on the island on which the coffees were roasted. Maximum prices for coffees received via another island are set forth in paragraph (c) below. It is the intent of this section 46 to allow only one markup in the Territory of Hawaii at the wholesale distribution level. If a roaster or primary wholesaler sells to a second wholesaler or ships to another island, he shall state on the invoice his maximum price determined in accordance with this section.

(b) No extra charges may be made for local delivery. For deliveries outside the local area, the seller by obtaining prior approval of the Office of Price Administration, Honolulu, may add to the ceiling price an amount not to exceed the prevailing local commercial trucking rates provided that during the calendar year 1941 it was his custom to make extra charges for such deliveries. Roasters making sales to other islands may add to the maximum prices set forth below in paragraphs (d) to (j), inclusive, cartage charges from warehouse to dock computed at a rate not in excess of \$1.20 per ton, weight or measurement, provided the coffee is moved to the dock at the roaster's expense.

(c) To the roaster's or primary wholesaler's maximum price, the distributor of Kona coffees received from or via another island may add the following:

(1) The ocean transportation charges actually incurred including war risk and marine insurance, and Territorial tolls.

(2) Cartage charges in the port of destination from dock to warehouse computed at a rate not in excess of \$2.65 per ton on Molokai and \$1.20 per ton on all other islands



weight or measurement, provided that the coffee is moved from the dock at the secondary wholesaler's expense.

(d) The maximum wholesale bulk prices established in paragraph (e) below are for bulk coffees sold in paper bags. When sold in containers other than paper bags, the actual package costs may be added to the price.

(e) The maximum wholesale prices of roasted Kona coffees in bulk in paper bags shall be as follows:

## ALL ISLANDS EXCEPT HAWAII

Grade of green	Maximum prices effective Aug. 1, 1943	Maximum prices effective Jan. 1, 1944	Maximum prices effective Apr. 1, 1944
No. 1 extra prime.....			
Extra prime.....	Per lb. \$0.246	Per lb. \$0.264	Per lb. \$0.277
Peaberry.....			
Prime.....	.239	.253	.264
No. 3 X.....	.224	.233	.24
No. 3.....	.209	.215	.218

## HAWAII

No. 1 extra prime.....			
Extra prime.....	\$0.238	\$0.255	\$0.269
Peaberry.....			
Prime.....	.231	.245	.256
No. 3 X.....	.216	.225	.232
No. 3.....	.201	.207	.211

(f) *Formulas.* The maximum prices of bulk Kona coffees in paragraph (e) above are based upon the cost of the green coffees. If the formula of any roaster contains two or more grades selling at two or more different prices, the maximum price for that brand shall be the weighted average price of the maximum prices of the various grades contained in the roaster's formula. For example, if a particular brand of coffee roasted on Oahu has a formula of 60% Extra prime and 40% prime, the maximum price would be:

$$.60 \times \$0.246 = \$0.1476$$

$$.40 \times 0.239 = 0.0956$$

Maximum wholesale price = \$0.2432 per pound.

(1) Maximum prices as computed above may be reduced to the nearest lower tenth of a cent if the fraction is less than 5/100ths of a cent and may be increased to the nearest higher tenth of a cent if the fraction is 5/100ths of a cent or more.

(g) The maximum wholesale prices of packaged Kona coffees shall be the sum of the maximum prices listed in paragraph (h) below plus the cost of the package provided for in paragraph (1) below.

(h)

## ALL ISLANDS EXCEPT HAWAII

Grade of green	Maximum prices effective Aug. 1, 1943	Maximum prices effective Jan. 1, 1944	Maximum prices effective April 1, 1944
No. 1 extra prime.....			
Extra prime.....	Per lb. \$0.249	Per lb. \$0.267	Per lb. \$0.28
Peaberry.....			
Prime.....	.24	.254	.265
No. 3X.....	.225	.234	.241
No. 3.....	.21	.216	.22

## HAWAII

No. 1 extra prime.....			
Extra prime.....	\$0.241	\$0.258	\$0.272
Peaberry.....			
Prime.....	.232	.246	.257
No. 3X.....	.217	.227	.233
No. 3.....	.202	.209	.212

(1) To the maximum prices established in paragraph (h) above may be added the actual cost of the containers including the corrugated shipping cartons used for shipment to other Islands.

(j) *Formulas.* The maximum prices of packaged Kona coffees are based upon the cost of the green coffees. If the formula of any roaster contains two or more grades selling at two or more different prices, the maximum price for that brand shall be the weighted average price of the maximum prices of the various grades contained in the roaster's formula. For example, if a particular brand of packaged coffee roasted on Oahu has a formula of 80% Prime and 20% No. 3, the maximum price would be:

$$.80 \times \$0.24 = \$0.1920$$

$$.20 \times 0.21 = 0.042$$

Maximum wholesale price before addition of package cost = \$0.234

(1) Maximum prices as computed above may be reduced to the nearest lower tenth of a cent if the fraction is less than 5/100ths of a cent and may be increased to the nearest higher tenth of a cent if the fraction is 5/100ths of a cent or more.

This amendment shall become effective as of August 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 25th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13901; Filed, August 25, 1943; 2:52 p. m.]

PART 1426—WOOD PRESERVATION AND  
PRIMARY FOREST PRODUCTS  
[MPR 460]

## WESTERN TIMBER

A statement of the considerations involved in the issuance of this regulation, issued simultaneously herewith, has been filed with the Division of the Federal Register.\*

§ 1426.251 *Maximum prices for western timber.* Under the authority vested in the Price Administrator by the Emergency Price Control Act of 1942, as amended, and Executive Order No. 9250, Maximum Price Regulation No. 460 (Western Timber) which is annexed hereto and made a part hereof is hereby issued.

AUTHORITY: § 1426.251 issued under Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871.

## MPR 426—WESTERN TIMBER

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8. Separate computation of non-timber values where land is sold with timber.

\*Copies may be obtained from the Office of Price Administration.

Sec.

9. Records and reports.
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SECTION 1. *Sales of western timber at higher than maximum prices prohibited—(a) General.* On and after August 31, 1943, no person shall sell, buy, or reappraise (or agree or attempt to sell or buy) western timber at higher than the maximum prices established in this regulation. Written firm contracts made before August 31, 1943 may be completed at the contract price (but where the contracts are reappraised or renegotiated, all the provisions of this regulation shall apply to the reappraisal or renegotiation).

SEC. 2. *What products are covered.* This regulation covers, under the name "Western timber", all timber (whether green or dead, standing or down, of all species, classes and sizes, where the timber has not been severed from the stump), west of the 100th meridian of longitude.

SEC. 3. *What transactions are covered.* (a) This regulation covers all sales of western timber if the primary purpose of the purchase is the acquisition of timber for commercial conversion into timber products. If the value of the timber constitutes 60 percent or more of the total consideration, it shall be conclusively presumed that the primary purpose of the purchase was the acquisition of timber for commercial conversion.

(b) This regulation does not cover transactions involving a timber value less than \$1,000.

(c) This regulation does not cover or affect transactions where the purchaser does not have the right to cut any timber for a period of 10 years or more from the date of the contract.

SEC. 4. *What persons are covered.* Any person who makes the kind of sale or purchase covered by this regulation is subject to it. The term "person" includes: an individual, corporation, partnership, association, or any other organized group of persons, or their legal successors, or representatives; the United States, any State or any government, or any of its political subdivisions; or any agency of the foregoing.

SEC. 5. *Maximum prices for publicly-owned western timber.* The maximum prices for publicly-owned timber shall be the total of the appraised valuation for each species (or species price group) offered for sale, plus the additions set forth below. "Appraised value" for the purpose of this regulation shall be based on the appraisal principles used by the public agency during 1941. Where those principles are based on a percentage of outturn of logs, lumber, or primary forest products, the established ceiling price on the product to which it is related shall be used as the basis for the appraisal.

Where appraised value per 1000' log scale is:	Addition per 1000' log scale
\$1.50 and under.....	\$0.40
\$1.51 to \$2.00.....	.50
\$2.01 to \$3.00.....	.70
\$3.01 to \$4.00.....	.90
\$4.01 to \$5.00.....	1.05
\$5.01 to \$7.50.....	1.35
\$7.51 to \$10.00.....	1.60
\$10.00 and over.....	1.85



SEC. 6. *Maximum prices for privately-owned western timber.* The maximum price for privately-owned western timber is the appraisal value on the nearest comparable tract of publicly-owned timber, sold since September 1, 1942 plus the additions given in the table in the preceding section. The tract will be considered comparable if it is in the same competitive region, and in any case not more than 500 miles away, and if it is comparable in species, composition, accessibility, density, and grade content.

In choosing the publicly-owned tract to be used for comparison, the basic rule is to take the nearest tract, geographically, that meets the general tests of similarity given above.

If the terms of sale or financial arrangements are different from those in the public sale selected for comparison, an appropriate adjustment must be made in the maximum price to reflect the value of the difference in financial terms and basis of measurement.

SEC. 7. *Maximum prices for privately-owned western timber where section 6 cannot be applied.* When the maximum price for privately-owned western timber cannot be determined under section 6 above, such as sales on percentages of sales of logs, profit sharing, or other arrangements which do not fix the price of the stumpage in specific dollars-and-cents per 1,000 ft., log scale, or when special conditions warrant a different ceiling than that resulting from operation of section 6, the buyer and seller should join in a request by letter to the Lumber Branch, Office of Price Administration, Washington, D. C., for an authorized price. The letter should contain a full description of all of the timber to be sold, including the cruise or estimated amount of timber of each species, the quality of each species and the proposed sales price for each species or group of species. The buyer must furnish evidence that the proposed price will not require an individual adjustment of the ceilings to which he is subject on logs, lumber, primary forest products or other timber products. If special conditions are the basis for the application, they should be fully described. The Office of Price Administration, by letter or telegram, will either authorize a price or arrangement, or give instructions on how to figure the maximum price. If within 60 days of the receipt of such application the Office of Price Administration has not authorized a price or provided a formula or requested additional information on which such price may be computed, the price or arrangement requested in the application shall be considered approved.

SEC. 8. *Separate computation of non-timber values where land is sold with timber.* If timber is sold together with land, any non-timber rights or interests forming part of the consideration may be separately evaluated. The non-timber rights or interests are not subject to this regulation.

SEC. 9. *Records and reports.* In all transactions involving more than \$1,000 worth of western timber, both seller and purchaser must keep a record of the transaction for two years.

In both public sales and private sales the buyer must file a report for each purchase with the Lumber Branch, Office of Price Administration, Washington, D. C.

The records and reports must include the following:

(1) The state and county in which the timber is located and a legal description of the location;

(2) The sales or contract price, and where the selling price differs from the appraised price, also the appraised price for each species, or for each group of species if several having the same price are combined in a price group in the transaction;

(3) A statement of the estimated or actual total volume of timber sold, to be shown by species to the extent that species are separated in the estimate, or in actual log scale if available.

(4) In sales of privately-owned timber the records of buyer and seller and the reports of the buyer shall identify the tract of publicly-owned timber which was used as the basis for calculating maximum prices and shall give the appraisal value of the publicly-owned tract.

(5) In transactions involving both publicly-owned and privately-owned timber, the records and reports should indicate to what extent, if any, values other than timber values constituted a part of the consideration involved, together with data in support of these separate values.

SEC. 10. *Petitions for amendment.* Any person seeking an amendment of any provision of this regulation may file a petition for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,<sup>1</sup> issued by the Office of Price Administration.

SEC. 11. *Enforcement.* Persons violating any provisions of this regulation are subject to the criminal penalties, civil enforcement actions and suits for treble damages provided for by the Emergency Price Control Act of 1942.

NOTE: All reporting and record-keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This regulation shall become effective August 31, 1943.

Issued this 25th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13903; Filed, August 25, 1943;  
2:53 p. m.]

#### PART 1420—BREWERY, DISTILLERY AND WINERY PRODUCTS

[MPR 445, Amdt. 1]

##### DISTILLED SPIRITS AND WINES

A statement of the considerations involved in the issuance of this amendment issued simultaneously herewith has been filed with the Division of the Federal Register.\*

\*Copies may be obtained from the Office of Price Administration.

<sup>1</sup>7 F.R. 8961, 8 F.R. 3313, 3333, 6173.

<sup>2</sup>8 F.R. 11161.

Maximum Price Regulation No. 445 is amended in the following respects:

1. Section 1.2 (b) is amended by changing the date "August 13, 1943" specified therein to "August 29, 1943."

2. Section 5.4 (b) (1) is amended to read as follows:

(1) *For sales to retailers.* A wholesaler's initial maximum price per case to retailers shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item, or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up for the item being priced as follows:

(i) 1.15 for distilled spirits other than cordials, liqueurs and specialties.

(ii) 1.25 for wine, wine based cordials and other rectified wines.

(iii) 1.20 for cordials, liqueurs and specialties to which (ii) does not apply; *Provided*, That any Regional Office of the Office of Price Administration may, by order, adjust downward the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit wholesalers in such state to obtain an excessive margin. In determining whether or not margins are excessive, the appropriate office shall consider margins prevailing in the particular state for wholesalers during March 1942 and the amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

3. Section 5.5 (b) (1) is amended to read as follows:

(1) *For sales to consumers.* A retailer's initial maximum price per case to consumers shall be his net cost per case (figured according to section 5.3) for his latest base purchase of the item or if he made no base purchase of the item since March 1942, his net cost per case (figured according to section 5.3) for his most recent purchase of the item from any supplier, multiplied by the percentage mark-up for the item being priced as follows:

(i) 1.333 for distilled spirits other than cordials, liqueurs and specialties.

(ii) 1.50 for wines, wine based cordials and other rectified wines.

(iii) 1.45 for cordials, liqueurs and specialties to which (ii) does not apply; *Provided*, That any Regional Office of the Office of Price Administration may by order adjust downward the percentage mark-up so established for sales of one or more of such classes of commodities in any state within its jurisdiction, if it appears that such percentage mark-up will permit retailers in such state to obtain an excessive margin. In determining whether or not margins are excessive the appropriate office shall consider margins prevailing in the particular state for retailers during March 1942 and the



amounts of the costs to which they were applied. A percentage mark-up provided by any such order of a Regional Office shall have the same force and effect as if expressly provided herein for the particular sales to which it is applicable.

4. Section 5.10 is amended by changing the date "August 31, 1943" specified therein to "August 30, 1943".

5. Section 7.12 (a) (14) is added to read as follows:

(14) "Wine based cordials and other rectified wines" means those commodities made wholly from wine with added aromatics or other flavoring materials.

This amendment shall become effective August 25, 1943.

(56 Stat. 23, 765; Pub. Law. 151, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 25th day of August 1943.

CHESTER BOWLES,  
Acting Administrator.

[F. R. Doc. 43-13915; Filed, August 25, 1943; 3:52 p. m.]

## TITLE 49—TRANSPORTATION AND RAILROADS

### Chapter I—Interstate Commerce Commission

#### PART 95—CAR SERVICE

[Service Order 149]

##### REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 24th day of August, A. D. 1943.

It appearing, that the supply of ice for icing perishables in both the States of Colorado and Utah is extremely short and such shortage is affecting both the intrastate and interstate movement of such traffic in refrigerator cars; in the opinion of the Commission an emergency exists requiring immediate action: *It is ordered, That:*

§ 95.318 *Reicing potatoes in Colorado or Utah prohibited.* (a) No common carrier by railroad subject to the Interstate Commerce Act shall reice, or allow or permit to be reiced at any point or points in the States of Colorado or Utah a refrigerator car or cars loaded with potatoes.

(b) *Tariff provisions suspended.* The operation of all tariff rules or regulations insofar as they conflict with the provisions of this order is hereby suspended.

(c) *Announcement of suspension.* Each of such railroads, or its agent, shall publish, file, and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of any of the provisions therein.

(d) *Special and general permits.* The provisions of this order shall be subject to any special or general permits issued

by the Director of the Bureau of Service, Interstate Commerce Commission, Washington, D. C., to meet specific needs or exceptional circumstances. (40 Stat. 101, sec. 402, 41 Stat. 476, Sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this order shall become effective immediately, and that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-13897; Filed, August 25, 1943; 2:42 p. m.]

[Service Order 104, Amdt. 2]

#### PART 95—CAR SERVICE

##### SUBSTITUTION OF REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 25th day of August, A. D. 1943.

At the request of the Office of Defense Transportation and upon further consideration of Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended (8 F.R. 5270) April 19, 1943, and it appearing that the empty movement of refrigerator cars to certain western states diminishes the use of such cars; in the opinion of the Commission an emergency exists requiring immediate action to prevent a shortage of equipment:

*It is ordered,* That Service Order No. 104 (8 F.R. 1036) of January 19, 1943, as amended (8 F.R. 5270) April 19, 1943, be, and it is hereby, further amended by substituting the following paragraphs (a) (1) and (a) (2) in lieu of paragraphs (a) and (d) of § 95.304, *Substitution of refrigerator cars:*

(a) (1) Except as provided in paragraph (a) (2) of this section any common carrier by railroad subject to the Interstate Commerce Act transporting (i) westbound transcontinental shipments, in carloads, destined to points in the States of California, Idaho, Arizona, Nevada, or Utah, or (ii) westbound shipments, in carloads, originating at points in the State of Utah and destined to points in the States of California or Nevada, shall when freight to be transported and facilities are suitable for loading in refrigerator cars, and when refrigerator cars are reasonably available, furnish and transport not more than three (3) refrigerator cars in lieu of each box car ordered, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car.

(2) On shipments on which the carload minimum varies with the size of the car

(i) Two (2) refrigerator cars shall be furnished in lieu of one (1) box car ordered of a length 40'7" or less, subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

(ii) Three (3) refrigerator cars shall be furnished in lieu of one (1) box car ordered of a length of over 40'7" but not over 50'7", subject to the carload minimum weight which would have applied if the shipment had been loaded in a box car of the size ordered.

And by adding the following paragraph (g) to § 95.304, *Substitution of refrigerator cars:*

(g) *Appointment of agent.* R. B. Hoffman, Chicago, Illinois, is hereby appointed the agent of the Interstate Commerce Commission, subject to the direction of the Director of the Bureau of Service, and authorized to suspend the operation of this order with respect to any particular class of refrigerator cars of either private or railroad ownership. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

*It is further ordered,* That this order shall become effective at 12:01 a. m., September 1, 1943; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,  
Secretary.

[F. R. Doc. 43-13942; Filed, August 26, 1943; 11:27 a. m.]

### Chapter II—Office of Defense Transportation

[Administrative Order ODT 4]

#### PART 503—ADMINISTRATION

##### DELEGATIONS OF AUTHORITY TO DIVISION OF MOTOR TRANSPORT FOR REQUISITIONING AND DISPOSAL OF USED TRUCKS

Pursuant to the Act of October 16, 1941, as amended, Executive Order 8942, as amended, Executive Order 9294, and the Regulations under Requisitioning Acts issued by the Chairman of the War Production Board, *It is hereby ordered, That:*

§ 503.95 *Regional managers and district managers, Division of Motor Transport; authority to requisition and dispose of used trucks.* Each regional manager within his region, and each district manager within his district, Division of Motor Transport, Office of Defense Transportation, is authorized and directed to requisition and dispose of used commercial motor vehicles in accordance with the Act of October 16, 1941, as amended, Executive Order 8942,



as amended, Executive Order 9294, and the regulations under Requisitioning Acts issued by the War Production Board, to the extent and in the manner authorized by instructions and directions issued from time to time by the Director of the Office of Defense Transportation, and to do any or all things reasonably necessary or proper for the effective performance of the functions herein delegated. Each Regional Manager, or person designated by him, for the purpose of requiring and compelling a disclosure of information under Section 4 of the Act of October 16, 1941, as amended, may administer oaths and affirmations, may require by subpoena or otherwise the attendance and testimony of witnesses and the production of any books or records or any documentary or physical evidence which may be relevant to the inquiry. The exercise of the powers and authority conferred by this order shall be subject to the general control and supervision of the Director, Division of Motor Transport, Office of Defense Transportation.

(55 Stat. 742, 50 U.S. Code 721; E.O. 8942, 6 F.R. 5909; E.O. 9294, 8 F.R. 221; Regulations under Requisitioning Acts, as amended, 7 F.R. 5746, 8 F.R. 8994)

This administrative order shall become effective on August 26, 1943.

Issued at Washington, D. C., this 26th day of August 1943.

JOSEPH B. EASTMAN,  
Director of the Office of  
Defense Transportation.

[F. R. Doc. 43-13948; Filed, August 26, 1943;  
11:45 a. m.]

## Notices

### OFFICE OF ALIEN PROPERTY CUSTODIAN.

[Amendment of Vesting Order 1457]

REAL AND PERSONAL PROPERTY OF  
ELSIE RINGS

Re: Real property, fire insurance policies and bank accounts owned by Elsie Rings.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned, after investigation;

1. Finding that Elsie Rings is a resident of Germany, whose last known address is Matzkirch über Ratibor, Germany, and is a national of a designated enemy country (Germany);

2. Finding that said Elsie Rings is the owner of the property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

a. Real property known as 3762 Olinville Avenue, situated in the County of Bronx, City and State of New York, particularly described in Exhibit "A" attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto and any and all claims for rents, refunds, benefits, or for other payments arising from the ownership of such property,

b. All right, title and interest of Elsie Rings in, to and under fire insurance policies numbered 409884, 409876 and 409834, issued by the Boston Insurance Company of Boston, Massachusetts, through Hugo Wabot, underwriting agent, 116 East Lincoln Avenue, Mount Vernon, New York, insuring the premises at 3762 Olinville Avenue, Bronx, New York, referred to in subparagraph 3-a hereof, and

c. All right, title, interest and claim of any name or nature whatsoever of Elsie Rings in and to any and all obligations contingent or otherwise and whether or not matured owing to her by the Bank for Savings, 1201 Third Avenue, New York, New York; the Central Savings Bank, 73rd Street and Broadway, New York, New York; and the Manhattan Savings Bank, 154 East 86th Street, New York, New York, including but not limited to all security rights in and to any and all collateral for any or all such obligations and the right to enforce and collect such obligations, and including particularly:

(i) Savings Account No. B-7184 in the Bank for Savings, 1201 Third Avenue, New York, New York,

(ii) Savings Account No. 82723 in the Central Savings Bank, 73rd Street and Broadway, New York, New York, and

(iii) Savings Account No. 697854 in the Manhattan Savings Bank, 154 East 86th Street, New York, New York.

all of which accounts are due and owing to, and held for and in the name of Elsie Rings.

is property within the United States owned or controlled by a national of a designated enemy country (Germany);

4. Determining that the property described in subparagraphs 3-b and 3-c hereof is necessary for the maintenance or safeguarding of other property (namely, that hereinbefore described in subparagraph 3-a) belonging to the same national of the same designated enemy country and subject to vesting (and in fact vested by this Order) pursuant to section 2 of said Executive Order;

5. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Germany);

6. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

7. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order

may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 19, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

## EXHIBIT A

All that lot, piece or parcel of land with the buildings and improvements thereon erected, situate, lying and being in the Borough of Bronx, in the County of Bronx, City and State of New York, bounded and described as follows:

BEGINNING at a point on the easterly side of 2nd Avenue as laid down on a certain map entitled "Map of Olinville" which avenue is also known as Pleasant and Olinville Avenues at a point distant 600 feet north from the intersection of the easterly side of said Second Avenue with the northerly side of 2nd Street on said map, also known as 216th Street; running thence easterly at right angles with the easterly side of said 2nd Avenue 93.85 feet to the division line between Lots 63 and 103 on said map of Olinville, thence northerly along said division line 75 feet, thence westerly parallel with 2nd Street 93.25 feet to the easterly side of 2nd Avenue on said map; thence southerly along said easterly side of said 2nd Avenue 75 feet to the point or place of beginning. Save and except therefrom that part of the said premises which the City of New York has taken for the opening and widening of said Second or (Pleasant Avenue) Avenue.

[F. R. Doc. 43-13924; Filed, August 26, 1943;  
10:57 a. m.]

[Amendment of Vesting Order 1185]

REAL PROPERTY OF ANGELO RICCIUTI

Re: Certain real property in Waller County, Texas, owned by Angelo Ricciuti.

Under the authority of the Trading with the Enemy Act, as amended, and Executive Order No. 9095, as amended, and pursuant to law, the undersigned after investigation:

1. Finding that Angelo Ricciuti, whose last known address is S. Eufemia a Marella, Pescara, Italy, is a resident of Italy, and is a national of a designated enemy country (Italy);

2. Finding that said Angelo Ricciuti is the owner of the real property described in subparagraph 3 hereof;

3. Finding that the property described as follows:

Real property situated in Waller County, Texas, particularly described in Exhibit A attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property.

is property within the United States owned or controlled by a national of a designated enemy country (Italy);



4. Determining that to the extent that such national is a person not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of the aforesaid designated enemy country (Italy);

5. Having made all determinations and taken all action, after appropriate consultation and certification, required by said Executive Order or Act or otherwise; and

6. Deeming it necessary in the national interest;

hereby vests in the Alien Property Custodian the property described in subparagraph 3 hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

Such property, and any or all of the proceeds thereof, shall be held in an appropriate special account or accounts, pending further determination of the Alien Property Custodian. This shall not be deemed to limit the powers of the Alien Property Custodian to return such property or the proceeds thereof, or to indicate that compensation will not be paid in lieu thereof, if and when it should be determined that such return should be made or such compensation should be paid.

Any person, except a national of a designated enemy country, asserting any claim arising as a result of this order may file with the Alien Property Custodian a notice of his claim, together with a request for a hearing thereon, on Form APC-1, within one year from the date hereof, or within such further time as may be allowed by the Alien Property Custodian. Nothing herein contained shall be deemed to constitute an admission of the existence, validity or right to allowance of any such claim.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of said Executive Order.

Executed at Washington, D. C. on August 19, 1943.

[SEAL]

LEO T. CROWLEY,  
Alien Property Custodian.

#### EXHIBIT A

All that tract or parcel of land situated in Waller County, Texas in the J. E. Groce survey, more particularly described as follows:

Being lot or block no. 68 containing 52.13 acres of land as shown by map of record in Waller County, Texas, deed records in Vol. 37 page 640 to which map reference is here made for a more full and particular description of said land. Grantor to pay taxes for year 1912. A strip of land fifteen — wide along the north boundary line of the above described tract of land is expressly retained for road purposes, together with all and singular the rights, members, hereditaments and appurtenances to the same belonging or in anywise incident or appertaining.

[F. R. Doc. 43-13923; Filed, August 26, 1943; 10:57 a. m.]

#### OFFICE OF PRICE ADMINISTRATION.

##### LIST OF INDIVIDUAL ORDERS UNDER PRICE REGULATIONS

The following orders were filed with the Division of the Federal Register on August 25, 1943.

##### Order Number and Name

MPR 244, order 34, Enot Foundry Co.  
MPR 280, order 2, Tupman Thurlow Co., Inc.  
MPR 327, order 12, The Thomas Alabama Kaolin Co.  
Supp. order 9, order 11, G. S. Stewart Co.

Copies of these orders may be obtained from the Office of Price Administration.

ERVIN H. POLLACK,  
Head, Editorial and Reference Section.

[F. R. Doc. 43-13932; Filed, August 26, 1943; 11:02 a. m.]

#### Regional, State and District Office Orders.

[Region I Order G-1 Under SR 14, Amdt. 3]

##### FIREWOOD IN NEW HAMPSHIRE

Amendment No. 3 to order No. G-1 under Supplementary Regulation 14 to

the General Maximum Price Regulation (New Hampshire); (formerly New Hampshire State Office Price Order No. 1). Firewood.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, *It is hereby ordered*, That section E (8) and section E (12) be amended, that paragraph (3) be added to section Fa, and that section G, Appendix A, be amended, to read as set forth below:

E. \* \* \*

(8) "Wood waste" means edgings, bobbin wood, clippings, and any other wooden material except sawdust, shavings, "bag wood" and slabwood produced in the course of milling or manufacturing wood.

(12) "Edgings" means the round-edge parts of boards removed in the process of sawing round-edge boards into square-edge boards. "Bundled edgings" means edgings that are tied with rope, twine, wire or other similar fastening into bundles of a convenient size for handling. "Bag wood" means edgings cut into lengths of not more than 8 inches each and sold for ultimate use as kindling wood.

Fa. \* \* \*

(3) Amendment No. 3 shall become effective July 26, 1943, at 12:01 a. m.

G. Appendix A: Maximum prices for firewood. The maximum prices for firewood sold or delivered in the State of New Hampshire shall be as follows: *Provided*, That, for the sale of fitted wood, the seller may add at the rate of one dollar per cord or at the rate of 60 cents per load to the prices established below for wood delivered: *And further provided*, That the maximum price for a three-quarters, or 60 cubic feet, load shall be three-quarters of the maximum price for the full load of 80 cubic feet.

The classifications of firewood listed herein in Appendix A may be mixed but the maximum price of the mixture shall be the same as the maximum price of the lowest classification therein.

APPENDIX A—TABLE 1—MAXIMUM PRICES FOR FIREWOOD IN MANCHESTER AND NASHUA, NEW HAMPSHIRE

	In the woods, per cord	At roadside, per cord	At mill, per cord	At retail yard and f. o. b. car, per cord	Delivered at buyers' premises, grounds only							
					Per cord	1/2 cord	1/4 cord	1/8 cord	Load, 80 cu. ft.	1/2 load	1/4 load	Busket basket
Hardwood cordwood—4 ft.	\$8	\$10		\$12	\$14	\$7		\$3.75				
Hardwood cordwood—12", 16", 24"		12		16	18	9	\$6.25	6.00	\$8.00	\$5.25	\$3.00	\$0.25
Softwood cordwood—4 ft.	4	6		7	8	4		2.60				
Softwood cordwood—12", 16", 24"		8		9	10	5	3.50	3.00	15.50	13.25	11.75	\$1.20
Hardwood slabwood—4 ft.			\$6.00	8	10	5		3.00				
Hardwood slabwood—12", 16", 24"				10	12	6	4.25	3.50	16.50	13.50	12.00	\$1.25
Softwood slabwood—4 ft.			2.00	4	6	3		2.00				
Softwood slabwood—12", 16", 24"					8	4		2.60	14.50	12.50	11.50	\$1.20
Hardwood waste.			\$5.00					6.50	3.50	2.00		1.25
Softwood waste.			\$1.00					4.00	2.25	1.25		1.20
Softwood blocks.			\$2.00					4.50	2.50	1.50		1.20
Bundled edgings.			2.50		4							
Bagwood (\$4 per cord f. o. b. car or truck).												

<sup>1</sup> Load prices shall not apply to firewood exceeding 16 inches in length.

<sup>2</sup> Prices at retail yard or mill shall be 5 cents less in each case.

<sup>3</sup> 12-inch wood or less.

<sup>4</sup> Prices per load.



APPENDIX A—TABLE 1-a—MAXIMUM PRICES FOR FIREWOOD IN PORTSMOUTH, NEW HAMPSHIRE

	In the woods, per cord	At read-side, per cord	At mill, per cord	At retail yard and f. o. b. car, per cord	Delivered at buyers' premises, grounds only							
					Per cord	1/2 cord	1/4 cord	1/8 cord	Load, 80 cu. ft.	1/2 load	1/4 load	Bushel basket
Hardwood cordwood—4 ft.	\$3	\$10	12	\$14.00	\$16.00	\$3	\$1.25	\$4.25	\$12.00	\$3.25	\$1.75	\$19.25
Hardwood cordwood—12", 16", 24"	4	12	6	16.00	18.00	9	3.25	5.00	12.00	3.25	1.75	19.25
Softwood cordwood—4 ft.		8		7.00	8.00	4		2.00	5.00	1.25		11.20
Softwood cordwood—12", 16", 24"				8.00	10.00	5	3.00	3.00	5.00	1.25	1.75	11.20
Hardwood slabwood—4 ft.				\$1.00	8.00	5		3.00	5.00	1.25		11.20
Hardwood slabwood—12", 16", 24"				10.00	12.00	6	4.25	3.00	5.00	1.25	1.75	11.20
Softwood slabwood—4 ft.			2.00	4.00	6.00	3		2.00	5.00	1.25		11.20
Softwood slabwood—12", 16", 24"					8.00	4		2.00	5.00	1.25	1.75	11.20
Hardwood waste				4.00				6.00	3.00	2.00		1.25
Softwood waste				4.00				4.00	2.25	1.25		1.20
Softwood blocks	9			4.00				4.00	2.00	1.50		1.20
Bundled edgings			2.00		4.00							
Bagwood (\$4 per cord f. o. b. car or truck)												

<sup>1</sup> Load prices shall not apply to firewood exceeding 16 inches in length.

<sup>2</sup> Prices at retail yard or mill shall be 5 cents less in each case.

<sup>3</sup> 12-inch wood or less.

<sup>4</sup> Prices per load.

APPENDIX A—TABLE 1-b—MAXIMUM PRICES FOR FIREWOOD IN BERLIN AND GORHAM, NEW HAMPSHIRE

	In the woods, per cord	At read-side, per cord	At mill, per cord	At retail yard and f. o. b. car, per cord	Delivered at buyers' premises, grounds only							
					Per cord	1/2 cord	1/4 cord	1/8 cord	Load, 80 cu. ft.	1/2 load	1/4 load	Bushel basket
Hardwood cordwood—4 ft.	\$3.00	\$10.00	12	\$14.00	\$16.00	\$3.25	\$1.25	\$4.25	\$12.00	\$3.25	\$1.75	\$19.25
Hardwood cordwood—12", 16", 24"		12	6	16.00	18.00	9	3.25	5.00	12.00	3.25	1.75	19.25
Softwood cordwood—4 ft.	4.00	6.00		7.00	8.00	4		2.00	5.00	1.25		11.20
Softwood cordwood—12", 16", 24"		8.00		9.00	10.00	5	3.00	3.00	5.00	1.25	1.75	11.20
Hardwood slabwood—4 ft.				\$1.00	8.00	5		3.00	5.00	1.25		11.20
Hardwood slabwood—12", 16", 24"				10.00	12.00	6	4.25	3.00	5.00	1.25	1.75	11.20
Softwood slabwood—4 ft.			2.00	4.00	6.00	3		2.00	5.00	1.25		11.20
Softwood slabwood—12", 16", 24"					8.00	4		2.00	5.00	1.25	1.75	11.20
Hardwood waste				4.00				6.00	3.00	2.00		1.25
Softwood waste				4.00				4.00	2.25	1.25		1.20
Softwood blocks				4.00				4.00	2.00	1.50		1.20
Bundled edgings			2.00		4.00							
Bagwood (\$4 pr. cd., f. o. b. car or truck)												

<sup>1</sup> Load prices shall not apply to firewood exceeding 16 inches in length.

<sup>2</sup> Prices at retail yard or mill shall be 5 cents less in each case.

<sup>3</sup> 12-inch wood or less.

<sup>4</sup> Prices per load.

APPENDIX A—TABLE 2—MAXIMUM PRICES FOR FIREWOOD FOR ALL OTHER NEW HAMPSHIRE COMMUNITIES NOT LISTED IN TABLES 1, 1-a, AND 1-b OF APPENDIX A

	In the woods, pr. cd.	At read-side, pr. cd.	At mill, pr. cd.	At retail yard and f. o. b. car, pr. cd.	Delivered at buyers' premises, grounds only							
					Per cd.	1/2 cd.	1/4 cd.	1/8 cd.	Load, 80 cu. ft.	1/2 load	1/4 load	Bushel basket
Hardwood cordwood—4 ft.	\$3.00	\$10.00	12	\$12.00	\$14.00	\$7.00	\$3.50	\$3.75	\$3.00	\$1.75	\$2.50	\$19.25
Hardwood cordwood—12", 16", 24"		12	6	14.00	16.00	8.00	3.50	4.00	3.00	1.75	2.50	19.25
Softwood cordwood—4 ft.	4.00	6.00		7.00	8.00	4.00		2.00	5.00	1.25		11.20
Softwood cordwood—12", 16", 24"		8.00		9.00	10.00	5.00	3.00	3.00	5.00	1.25	1.75	11.20
Hardwood slabwood—4 ft.				\$1.00	8.00	5.00		3.00	5.00	1.25		11.20
Hardwood slabwood—12", 16", 24"				10.00	12.00	6.00	4.25	3.00	5.00	1.25	1.75	11.20
Softwood slabwood—4 ft.			2.00	4.00	6.00	3.00		2.00	5.00	1.25		11.20
Softwood slabwood—12", 16", 24"					8.00	4.00		2.00	5.00	1.25	1.75	11.20
Hardwood waste				4.00				6.00	3.00	2.00		1.25
Softwood waste				4.00				4.00	2.25	1.25		1.20
Softwood blocks				4.00				4.00	2.00	1.50		1.20
Bundled edgings			2.00		4.00							
Bagwood (\$4 pr. cd., f. o. b. car or truck)												

<sup>1</sup> Load prices shall not apply to firewood exceeding 16 inches in length.

<sup>2</sup> Prices at retail yard or mill shall be 5 cents less in each case.

<sup>3</sup> 12-inch wood or less.

<sup>4</sup> Prices per load.

Issued this 23d day of July, 1943.

EDGAR J. DRISCOLL,  
Acting Regional Administrator.

[F. R. Doc. 43-13806; Filed, August 25, 1943; 2:47 p. m.]



[Region III Order G-4 Under MPR 165]

## POWER LAUNDRIES IN CHARLESTON, W. VA.

Order No. G-4 under Maximum Price Regulation No. 165, as amended—Services. Adjustment of prices for power laundries located within the corporate limits of Charleston, West Virginia.

Under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, and notwithstanding the provisions of § 1499.102 of Maximum

Price Regulation No. 165, as amended, *It is hereby ordered:*

(a) *Applicability.* The provisions of this order shall apply only to the power laundries, including their branches and agencies, located within the corporate limits of the City of Charleston, West Virginia.

(b) *Maximum prices.* The maximum prices which may be charged by any power laundry located within the corporate limits of the City of Charleston, West Virginia, shall be as follows:

## Maximum prices for family laundry services

## (1) Bundle services.

Damp or wet wash, in which all laundry is washed and returned damp.

Thrifty or economy, in which all flat work, not including handkerchiefs, is washed and returned finished, ready for use. Other articles are washed and returned damp.

Rough or fluff dry, in which flat work, not including handkerchiefs, is washed and returned finished, ready for use. Other articles are washed and returned dry.

Family finish, in which all articles are washed and returned finished, ready for use.

## Maximum prices

20 lbs. for 90¢, plus 4¢ for each additional pound. Minimum charge 90¢. If requested, shirts finished for an additional 12¢ each.

20 lbs. for \$1.50, plus 7¢ for each additional pound. Minimum charge \$1.50. If requested, shirts finished for an additional 11¢ each.

15 lbs. for \$1.45, plus 9¢ for each additional pound. Minimum charge \$1.45. If requested, shirts finished for an additional 10¢ each.

Flat work 8¢ per pound. Wearing apparel 30¢ per pound. Minimum charge \$2.00 before cash and carry discount. No extra charge for finishing shirts. Handkerchiefs to be priced as wearing apparel.

## (2) List price, in which all articles are washed and returned finished, ready for use.

Shirts—work	18
Shirts—regular	18
Undershirts	10
Union Suits	20
Shorts	10
Drawers	10
Pajamas	25
Men's Sox	06
Handkerchiefs	03
Pants—slacks	25
Pants—work	25
Overall jackets	20
Overall pants	20
Bed spreads	15
Napkins	02
Towels—bath and roller	04
Hose—ladies'	06
Sweaters	25
Coveralls	35
Slips	15
Aprons—house	15
Under vests	15
Stepins	15
Waists—cotton	25
Skirts	25
Nurses' dresses (long sl.)	35
Nurses' dresses (short sl.)	30
Dresses—house	35
Sheets	08
Pillow slips	03
Bed spreads—chenille	50
Table cloths	15
Towels—face and hand	03
Ties—wash	05

NOTE: The maximum prices for all items supplied on a list price basis but not set forth herein shall be the ceiling prices established by Maximum Price Regulation No. 165, as amended. In the list price services, a minimum charge of \$1.00 for delivery customers and \$.50 (before discount) for cash and carry customers may be imposed, unless picked up with a pound service bundle. For all family laundry service the cash and carry discount shall be no less than 15%.

(c) *Maximum prices for enlisted family laundry services.* The maximum price for any family laundry service which is not listed in paragraph (b) of this order but which provides more laundry service than the next lower price-

listed service and offers less laundry service than the next higher price-listed service shall be the maximum price of the next lower price-listed service.

(d) *Articles customarily included or not included in particular service; supplying starch.* Every laundry to which this order pertains shall continue to accept in the bundle services listed in paragraph (b) (1) of this order all articles they have customarily accepted in such services, but may charge for all other articles at list price. Each such laundry shall, within thirty days from the effective date of this order, file with the Charleston District Office of the Office of Price Administration, Charleston, West Virginia, a list of all articles which such laundry has customarily refused to accept in its bundle services. In the finished services and the list service, starch must be supplied where it is necessary to the proper finishing of the article, unless the customer requests that no starch be added.

(e) *Definition.* "Family laundry services" means all laundry services except commercial or institutional services.

(f) *Posting requirements.* Each power laundry located in the City of Charleston, West Virginia, shall, within 30 days from the effective date of this order, post in its own establishment, in a place and manner clearly visible and readable by its customers, maximum prices for all laundry services offered, and shall distribute to all customers a list setting forth these maximum prices, together with all discounts offered on family laundry services.

(g) *Other services.* Maximum prices for all services, other than those listed in Paragraph (b) of this order shall be governed by Maximum Price Regulation No. 165, as amended, or other applicable regulation, and shall in no way be affected by this order: *Provided, however,* That a cash and carry discount

of no less than 15% must be granted on all family laundry services.

(h) *Bundle service.* No laundry may discontinue any bundle service provided for herein which that laundry provided in March 1942 if a higher cost bundle service is to be retained.

(i) *Additional charges.* No additional charges of any kind, direct or indirect, may be added to the maximum prices set forth in this order. Notwithstanding the provisions of this paragraph (i), a separate charge may be made for insurance, to the extent such charge was made, and not in excess of the amount charged, during the six-month period immediately preceding the effective date of this order.

(j) *Less than maximum prices.* Lower prices than the maximum prices established by this order may be charged, offered, demanded, or paid.

(k) The following sections of Maximum Price Regulation No. 165, as amended, are incorporated in and made a part of this order:

§ 1499.104	Transfers of business or stock in trade.
§ 1499.105	Federal and State taxes.
§ 1499.108	Base-period records and reports.
§ 1499.109	Non-disclosure of base-period records.
§ 1499.110	Sales slips and receipts.
§ 1499.111	Licensing.
§ 1499.112	Registration of licensees.
§ 1499.113	Enforcement.
§ 1499.116	Definitions and explanations.
§ 1499.120	Effect of other price regulations.

(l) The applications for adjustment of prices made by certain of the laundries affected by this order, insofar as they are not granted by this order, are hereby denied.

(m) The applicants, or any of them, may, within 15 days after the date on which this order was mailed to them, file with the Regional Office, Region III of the Office of Price Administration, a request for a review of the denial of the applications for adjustment heretofore filed, insofar as such applications are denied by this order.

(n) This order may be revoked, amended or corrected at any time.

This order shall become effective May 24, 1943.

Issued this 17th day of May 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-13907; Filed, August 25, 1943; 2:48 p. m.]

[Region III Order G-4 Under MPR 165, Amdt. 1]

## POWER LAUNDRIES IN CHARLESTON, W. VA.

Amendment No. 1 to Order No. G-4 under Maximum Price Regulation No. 165 as amended—Services.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.114 (d) of Maximum Price Regulation No. 165 as amended, *It is hereby ordered,* That Paragraph (h) be amended to read as set forth below:



(h) *Prohibition against indirect price increases.* A laundry may not refuse to supply any lower-priced laundry service which it supplied in March, 1942, if it supplies or offers to supply any higher-priced service which includes the same or substantially the same processes (with or without additional processes) as the lower-priced service.

This amendment to Order No. G-4 shall become effective June 28, 1943.

(Public Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 26th day of June 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-13908; Filed, August 25, 1943;  
2:48 p. m.]

[Region III Order G-29]

HAULING OF FRESH FRUITS AND VEGETABLES FOR CANNING AND PROCESSING IN INDIANA, KENTUCKY, MICHIGAN, ETC.

Order No. G-29 under §§ 1499.18 (c) and 1499.75 (a) (3) of the General Maximum Price Regulation and under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended—Services. Adjustment of maximum prices for the hauling of fresh fruits and vegetables for canning and processing in Region III.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III under the provisions of §§ 1499.18 (c) and 1499.75 (a) (3) of the General Maximum Price Regulation, as amended, and under § 1499.114 (d) of Maximum Price Regulation No. 165, as amended, *It is hereby ordered, That:*

(a) *Maximum price adjusted.* (1) Any person, other than a common carrier, hauling fresh fruits or vegetables from growing fields to receiving stations, canneries, or other processing plants, or from receiving stations to canneries or other processing plants, may increase his maximum prices, as established for the 1942 canning season, for such hauling service, by an amount not to exceed 20% of such established maximum prices.

(2) Any person, other than a common carrier, supplying transportation equipment by lease, rental, or otherwise, when such equipment is to be used for the hauling of fresh fruits or vegetables from growing fields to receiving stations, canneries, or other processing plants, or from receiving stations to canneries or other processing plants, may increase his maximum prices, as established for the 1942 canning season, for such service by an amount not to exceed 20% of such established price. The adjustment thus granted is for the use, rental or lease of the equipment only, and does not include wages paid for services performed by any person as an employee.

(b) *Limitation of grant.* Such granted increase shall be applicable only to the supply of transportation equipment for, and the service of, hauling fresh fruits and vegetables destined for ultimate commercial canning or processing.

(c) *Basis on which adjustment shall be determined.* Prices, as adjusted, shall be calculated under the same method of determining charges used during the 1942 canning season, whether the charge then made was per cwt., per ton, per basket, per hamper, per mile, per hour, or on any other basis.

(d) *Pricing for haulers who did not operate during 1942 canning season.* Any hauler, other than a common carrier, or fresh fruits or vegetables from growing fields to receiving stations, canneries, or other processing plants, or supplier of transportation equipment therefor who did not operate during the 1942 canning season and who for that reason or for any other reason, does not have established maximum prices for such service, shall take as his maximum prices the adjusted maximum prices of his most closely competitive seller of the same type of service in his vicinity.

(e) *1942 canning season.* "1942 canning season" for the purpose of this order shall be deemed to include the period from July 15, 1942 to October 15, 1942.

(f) *Geographical applicability.* This order shall apply only to the hauling services as set forth above when such services are performed within the states of Indiana (except the County of Lake), Kentucky, Michigan, Ohio, or West Virginia.

(g) *Revocability.* This order may be modified, amended or revoked at any time by the Office of Price Administration.

(h) *Effective date.* This order shall become effective July 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued July 26, 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-13910; Filed, August 25, 1943;  
2:47 p. m.]

[Region III Order G-30 Under 18 (c)]

WORK GLOVES IN DETROIT, MICHIGAN, AREA

Order No. G-30 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of maximum prices for manufacturers of work gloves in the Detroit, Michigan, Area. (3-18 (c)-G-30-4).

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region III of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, as amended: *It is hereby ordered:*

(a) *Adjustment of maximum prices.* All manufacturers of work gloves within the Detroit, Michigan, area are hereby granted the following maximum prices for the sale of work gloves:

Commodity	Description	Adjusted maximum price
Work gloves....	8 oz.....	\$1.47 1/2 per dozen.
Work gloves....	10 oz.....	\$1.70 per dozen.
Work gloves....	12 oz.....	\$1.69 per dozen.
Work gloves....	Leather palm....	\$3.75 per dozen.

(b) This order shall become effective on Monday, July 26, 1943, and shall expire August 9, 1943, at 12:01 a. m., unless previously modified, amended or revoked.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued July 24, 1943.

BIRKETT L. WILLIAMS,  
Regional Administrator.

[F. R. Doc. 43-13312; Filed, August 25, 1943;  
2:47 p. m.]

[Region VII Order G-43 Under 18 (c)]

SUGAR CANE MOLASSES IN BOULDER, COLO.

Order No. G-43 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of maximum prices for cane sugar molasses in Boulder, Colorado.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons stated in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *What this order does.* This order fixes a maximum price at which dealers in Boulder, Colorado, who receive cane sugar molasses (black strap) in carload lots may resell the same direct to livestock feeders f. o. b. the seller's place of business in Boulder, Colorado.

(b) *Specific maximum price for sales direct to feeders.* From and after the effective date of this order the maximum price that may be charged for cane sugar molasses (black strap) when sold by any dealer in Boulder, Colorado, direct to a livestock feeder shall be \$38.00 per ton or \$1.90 per cwt. delivered in bulk.

(c) *Applicability of other regulations.* Unless contradictory of or inconsistent with the terms and provisions of this Order No. G-43, all of the terms and provisions of the General Maximum Price Regulation shall apply to and be deemed to be a part of this order.

(d) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(e) *Effective date.* This order shall become effective as of July 26, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681.)

Issued this 23d day of July 1943.

CLERM W. COLLINS,  
Regional Administrator.

[F. R. Doc. 43-13914; Filed, August 25, 1943;  
2:49 p. m.]

[Region VIII Order G-16 Under MPR-329]

FLUID MILK IN LAKE COUNTY, CALIF.

Order No. G-16 Under Maximum Price Regulation No. 329. Purchases of milk from producers for resale as fluid milk.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.403 of



Maximum Price Regulation No. 329, *It is hereby ordered:*

(2) The adjusted maximum price at which any person whose place of business is located in Lake County in the State of California may purchase milk from a producer located in said county shall be as follows:

(1) For purchases of milk from producers f. o. b. the producer's dairy, the adjusted maximum price shall be \$.31 per gallon.

(2) For purchases of milk delivered to the purchaser's plant, the adjusted maximum price shall be \$.32 per gallon.

(b) This order may be revoked, amended, or corrected at any time.

This order shall become effective August 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13909; Filed, August 25, 1943; 2:49 p. m.]

[Region VIII Order G-29 Under 18 (c)]

#### FUEL WOOD IN SOUTHERN CALIFORNIA AREA

Order No. G-29 under § 1499.18 (c) as amended of the General Maximum Price Regulation. Adjusted maximum prices for fuel wood in the Southern California area.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum prices for the sale of fuel wood by the cord at wholesale and at retail delivered to the purchaser in the Southern California area shall be the prices set forth in Appendix A attached hereto.

(b) In the case of sales of fuel wood at retail delivered to the purchaser in quantities of less than one cord, the adjusted maximum prices shall be as follows:

(1) For sales of one-half cord or more, but less than one cord, the prices set forth in Appendix A, plus \$.50 per one-half cord.

(2) For sales of less than one-half cord, the prices set forth in Appendix A, plus \$.50 per quarter-cord.

(c) In the case of sales of fuel wood at retail where the purchaser requests the seller to stack the wood on the purchaser's premises, the seller may make an additional charge at a rate not to exceed \$1.00 per cord, but the additional charge must be separately stated on any bill or invoice issued by the seller.

(d) *Definitions.* (1) "The Southern California area", as herein used, means the counties of Santa Barbara, Ventura, Los Angeles, San Bernardino, Orange, and Riverside in the State of California.

(e) This order may be revoked, amended, or corrected at any time.

This order shall become effective upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 22d day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

#### APPENDIX A

Fuel wood lengths 24" and less	Maximum wholesale price per cord	Maximum retail price per cord
1. Oak.....	\$22.00	\$28.00
2. Juniper—Arizona.....	24.00	30.00
3. Juniper—Local.....	20.00	26.00
4. Eucalyptus.....	20.00	26.00
5. Orange.....	18.00	24.00
6. Lemon.....	18.00	24.00
7. Acacia.....	18.00	24.00
8. Walnut.....	16.00	22.00
9. Pine.....	16.00	22.00
10. Mesquite.....	18.00	24.00
11. Tamarack.....	16.00	22.00
12. Ironwood.....	18.00	24.00
13. Almond.....	16.00	22.00
14. Mill block, mill ends and scrap lumber.....	6.00	10.00

[F. R. Doc. 43-13911; Filed, August 25, 1943; 2:49 p. m.]

[Region VIII Order G-30 Under 18 (c)]

#### IMPORTED CANNED ABALONE IN CALIFORNIA, WASHINGTON, NEVADA, ETC.

Order No. G-30 under § 1499.18 (c) of the General Maximum Price Regulation, as amended. Imported canned abalone.

For the reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c), as amended, of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price at which the Marine Products Co., of San Diego, California, may sell canned abalone, imported from Mexico, f. o. b. San Diego, California, shall be \$13.75 per case of 48 12-ounce tins.

(b) The adjusted maximum price at which purchasers from Marine Products Co., other than sellers at wholesale and retail, may sell imported Mexican abalone f. o. b. their place of business, shall be \$15.25 per case, plus actual freight or transportation costs from San Diego to seller's customary receiving point.

(c) The Marine Products Co., in connection with the first sale of imported canned abalone made after July 24th, 1943, shall attach to each case the following notice:

The Office of Price Administration has authorized us to inform you that if you are a wholesaler or a retailer pricing this item under Revised Maximum Price Regulations Nos. 237 or 238 you must recalculate your maximum price for this item under section 28 (c) (5) of Maximum Price Regulation 237 or section 25 (c) (5) of Maximum Price Regulation No. 238. If you are a seller other than a wholesaler or retailer under Revised Maximum Price Regulation No. 237 or Maximum Price Regulation No. 238 your maximum price shall be \$15.25 per case, plus actual freight or transportation costs from San Diego to your customary receiving point.

This recalculation shall apply only on your first purchase of this item after July 26th, 1943.

(d) This order will apply in the states of California, Washington, Nevada, Oregon, except Malheur and Harney Counties, and Arizona, except those portions of Coconino County and Mohave County lying North of the Colorado River; and the following counties in the State of Idaho: Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Lewis, Nez Perce, Shoshone, and Idaho.

(e) *Definitions.* (1) "Sales at wholesale" shall mean sales to independent retail stores or to commercial, industrial, or institutional users, or sales by retailer-owned cooperative wholesalers to their retail customers.

(2) "Sale at retail" means a sale to ultimate consumer.

(f) This order may be amended or revoked at any time.

This order shall take effect upon its issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 23d day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13913; Filed, August 25, 1943; 2:48 p. m.]

[Miss. District Order G-1 Under MPR 154, Amdt. 2]

#### ICE IN OCEAN SPRINGS-BILOXI-GULFPORT-LONG BEACH, MISS., AREA

Amendment 2 to Order Number G-1 issued under Maximum Price Regulation 154 as Amended—Ice.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the District Director of the Mississippi District Office of the Office of Price Administration by § 1398.8 (e) (f) (g) of Maximum Price Regulation 154 and by Regional Delegation Order No. 4 issued by Region IV of the Office of Price Administration, dated April 15, 1943, *It is hereby ordered:*

(a) New subsection (a) (3), and (a) (4), and (a) (5) are hereby inserted in Order No. G-1, under Maximum Price Regulation 154, issued by the Mississippi District Office of the Office of Price Administration, as follows:

(3) All ice imported into the Ocean Springs - Biloxi - Gulfport - Long Beach Area from New Orleans, Louisiana, may be sold to the Armed Forces of the United States, upon compliance with certain provisions hereinafter stated, at a price determined by either of the following methods: *Provided*, That in no event shall such price exceed 37½¢ per cwt.:

(i) Actual invoice cost of ice purchased, plus actual freight and handling costs, or

(ii) Actual invoice cost of ice purchased plus 15¢ per cwt. for transportation by contract motor line carrier.

(4) Prior to making sales of imported ice to the Armed Forces of the United States under either of the pricing meth-



ods set forth in the preceding subsection (a) (3), written notice of such intention must be given to the District Price Officer, Mississippi District Office, Office of Price Administration, Tower Building, Jackson, Mississippi. Such notice shall state the following particulars:

(i) The amount of ice proposed to be imported.

(ii) The unit of the Armed Forces to which such sales are to be made.

(iii) The method of transportation of such ice to be used, and

(iv) The price at which such ice is to be sold.

(5) All persons importing ice from New Orleans, Louisiana, under the provisions of this regulation are required to submit a report to the District Price Officer, Mississippi District Office, Office of Price Administration, Tower Building, Jackson, Mississippi, on or before Saturday of each week, setting forth in detail the facts hereinafter noted. An exact carbon copy of such report shall likewise be filed with the Associate Enforcement Attorney, Gulfport Field Office, Office of Price Administration, Gulfport, Mississippi. Said report shall contain the following facts:

(i) Name and address of each person or supplier from whom ice was purchased during the preceding "week."

(ii) Total tonnage of ice purchased from each such person or supplier during the preceding "week."

(iii) Actual price per ton paid to such supplier for ice purchased during the preceding "week" with all delivery charges, loading costs, freight charges, or handling charges paid by the purchaser stated separately in exact amounts, or if transportation is by private truck or contract motor line carrier, actual price per ton paid to each supplier for ice purchased during the preceding "week" and statement of method of transportation.

(iv) Each report shall be certified to by the person selling ice imported from New Orleans under the terms of this regulation, or by a responsible agent in the following form: I hereby certify that the facts contained in this report are true and correct and the penalties for making a false representation in this report to the United States Government are known to me.

(b) Section (b) of Order No. G-1 issued under Maximum Price Regulation 154 is hereby redesignated as subsection (b) (1).

(c) A new subsection (b) (2) is hereby inserted in Order No. G-1 issued under Maximum Price Regulation 154, as follows:

(2) The term preceding "week" as used herein, shall mean the time beginning at 12:01 a. m. Wednesday and ending 12:01 a. m. the following Wednesday, the second Wednesday to be the last Wednesday prior to the Saturday on which reports are required.

(d) This amendment may be revoked, amended, or corrected at any time.

No. 170—4

(e) This amendment shall become effective July 28, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this the 24th day of July 1943.

WILLIAM E. HOLCOMB,  
District Director.

[F. R. Doc. 43-13905; Filed, August 25, 1943;  
2:50 p. m.]

[Region I Order G-21 Under 18 (c) of GMPR,  
MPR 280 and MPR 329, Amdt. 4]

#### FLUID MILK IN MAINE

Amendment No. 4 to Order Number G-21 under § 1499.18 (c) of the General Maximum Price Regulation, § 1351.807 of Maximum Price Regulation 280, and § 1351.408 of Maximum Price Regulation 329. Fluid milk in the State of Maine.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of Region I of the Office of Price Administration by section 18 (c) of the General Maximum Price Regulation, as amended by Amendment 33, by § 1351.807 of Maximum Price Regulation 280, and by § 1351.408 of Maximum Price Regulation 329, *it is hereby ordered*, That section (b) (4) be amended, that subsection (11) of section (b) be added, and that section (b) be amended, to read as set forth below:

(b) \* \* \*

(4) The above "Price to producers" fixed for each zone shall be applicable to fluid milk of a butterfat content of 3.7% by weight bought or received from producers in Region I for ultimate resale for human consumption as fluid milk in any locality in such Zone. For each 1/10 of 1% by weight by which the butterfat content of such fluid milk exceeds or is less than 3.7% by weight, the appropriate "Price to producers" shall be increased or diminished, as the case may be, by 6 cents.

(11) The maximum prices for butter-milk sold or delivered in any locality in each Zone shall be 1 cent per quart less than the maximum prices fixed in this order for standard milk sold or delivered in any locality in such Zone.

(h) Amendments to Region I Order Number G-21 shall become effective as follows:

(1) Amendment No. 1 shall become effective June 1, 1943, at 12:01 a. m.

(2) Amendment No. 2 shall become effective June 3, 1943, at 12:01 a. m.

(3) Amendment No. 3 shall become effective June 15, 1943, at 12:01 a. m.

(4) Amendment No. 4 shall become effective July 29, 1943, at 12:01 a. m.

Issued this 28th day of July 1943.

FRANK O'NEIL,  
Acting Regional Administrator.

[F. R. Doc. 43-13934; Filed, August 26, 1943;  
11:02 a. m.]

[Region VI Order G-11 Under MPR 329]

#### FLUID MILK IN LAKE COUNTY, INDIANA

Order No. G-11 under Maximum Price Regulation No. 329—Purchase of Milk from Producers for Resale as Fluid Milk. Producers' milk prices in Lake County, Indiana.

For reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1351.408 of Maximum Price Regulation No. 329, *it is hereby ordered*:

(a) The maximum price which distributors may pay to producers for milk sold for human consumption in fluid form shall be the maximum price as determined under Maximum Price Regulation No. 329 plus 5½¢ for each 1/10 of a pound of butterfat in excess of 4% and less 4¢ for each 1/10 of a pound of butterfat below 4%.

(b) This order shall apply to all purchases of milk by distributors selling 50% or more of their total volume of milk within Lake County, Indiana.

(c) Unless the context otherwise required, the definitions set forth in § 1351.404 of Maximum Price Regulation No. 329 and section 302 of the Emergency Price Control Act of 1942, as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time.

This order shall become effective July 29, 1943.

(Pub. Laws 421 and 729; 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 24th day of July 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13933; Filed, August 26, 1943;  
11:05 a. m.]

[Region VI Order G-87 Under 18 (c) of GMPR,  
837 (a) of MPR 280, and MPR 329]

#### FLUID MILK IN GALESBURG, ILLINOIS

Order No. G-87 Under § 1499.18 (c) of the General Maximum Price Regulation, section 1351.807 (a) of Maximum Price Regulation No. 280, and under Maximum Price Regulation No. 329—Purchase of Milk From Producers as Fluid Milk. Adjustment of fluid milk prices in Galesburg, Illinois.

For reasons set forth in an opinion issued simultaneously herewith, and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) of the General Maximum Price Regulation, section 1351.807 (a) of Maximum Price Regulation No. 280 and by Maximum Price Regulation 329, *it is ordered*:

(a) *Maximum producer prices.* The maximum price for milk sold for human consumption in fluid form which may be paid to producers by distributors the majority of whose sales are made within the



city limits of Galesburg, Illinois, shall be \$2.95 per cwt. for 4% milk, and 5¢ for each one tenth of a pound of butterfat in excess of 4%, and less 5¢ for each one tenth of a pound below 4%.

(b) *Maximum distributors' prices.* The maximum prices for the sale and delivery of fluid milk in bottles and paper containers at wholesale and retail in the Galesburg, Illinois area shall be:

	Wholesale	Retail
Standard and homogenized milk:	Cents	Cents
Bulk, per gallon.....	34	49
Gallons.....	41	13
Quarts.....	11	5
½ pints.....	3¼	
Chocolate milk:		
Quarts.....	11	13
½ pints.....	3¼	5
Buttermilk:		
Gallons.....	29	11
Quarts.....	9	5
½ pints.....	3	

(c) *Definitions.* For the purposes of this order:

1. Sales and deliveries within the Galesburg, Illinois, area shall mean:

i. All sales made within the city limits of Galesburg, Illinois, and all sales at or from an establishment located in Galesburg, Illinois.

ii. All sales of fluid milk by any seller at retail or at or from an establishment obtaining the major portion of its supply of milk from a seller at wholesale located within Galesburg, Illinois.

2. Milk shall mean cows' milk having a butterfat content of not less than 3.2% or the legal minimum established by statute or municipal ordinance, processed, distributed and sold for consumption in fluid form as whole milk.

3. Sales at wholesale shall for the purposes of this order include all sales to retail stores, restaurants, army camps, prisons, schools, hospitals, and other institutions.

4. Unless the context otherwise requires, the definitions set forth in section 1499.20 of the General Maximum Price Regulation, section 1351.816 of Maximum Price Regulation No. 280, and section 1351.404 of Maximum Price Regulation No. 329, as the case may be, and section 302 of the Emergency Price Control Act of 1942 as amended, shall be applicable to the terms used herein.

(d) This order may be revoked, amended or corrected at any time. This order shall become effective August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of July 1943.

RAYMOND S. McKEOUGH,  
Regional Administrator.

[F. R. Doc. 43-13937; Filed, August 26, 1943;  
11:05 a. m.]

[Region VII Order G-5 Under MPR 165]

#### LAUNDRY SERVICES IN STERLING, COLORADO

Order No. G-5 under Maximum Price Regulation No. 165, as amended—Services; Docket No. VII-165-114 (d)-42.

Pursuant to the Emergency Price Control Act of 1942, as Amended, and

§ 1499.114 (d) of Maximum Price Regulation No. 165, as Amended, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *What this order does.* This order modifies § 1499.101 (c) (36) of Maximum Price Regulation No. 165, as Amended, by establishing specific maximum prices for laundering services furnished by power laundries in Sterling, Colorado.

(b) *Specific maximum prices.* From and after the effective date of this order the maximum prices for laundering services performed by power laundries in Sterling, Colorado, shall be as follows:

Shirts, laundered and finished ready to wear, 18¢ each.

Overalls and jumpers, laundered and finished ready to wear, 25¢ each.

Coveralls, laundered and finished ready to wear, 40¢ each.

Aprons, laundered and finished ready to wear, 7¢ each.

Family finish, which means everything in the bundle, including shirts, laundered and finished ready to wear, a flat charge of \$1.00 for a minimum of 12½ pounds or less, and an additional charge of 8¢ per pound for each pound in excess of said minimum of 12½ pounds.

Rough dry, meaning everything laundered and all flat work, including sheets, pillow cases and towels ironed, and aprons, house-dresses and shirts starched if requested—8¢ per pound plus 1¢ for each handkerchief and each pair of shorts ironed.

(c) *Customary discounts or differentials need not be maintained.* From and after the effective date of this order it shall not be obligatory upon any power laundry in Sterling, Colorado, to maintain or continue any customary allowance, discount, quantity discount or differential heretofore established by it in the matter of supplying any kind of laundry service.

(d) *Applicability of other regulations.* Except as to the maximum prices for the services in question as modified hereby and the granting of customary allowances, discounts and differentials, all power laundries operating and selling laundering services in Sterling, Colorado, shall be and remain subject to the provisions and requirements of Maximum Price Regulation No. 165, as Amended, which are not inconsistent with or contradictory of this Order No. G-5.

(e) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(f) *Effective date.* This order shall become effective as of August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 27th day of July 1943.

CLEM W. COLLINS,  
Regional Administrator.

[F. R. Doc. 43-13931; Filed, August 26, 1943;  
11:03 a. m.]

[Region VII Order G-44 Under 18 (c)]

#### FLUID MILK IN HARNEY COUNTY, OREG.

Order No. G-44 under § 1499.18 (c) of the General Maximum Price Regulation.

Adjustment of fluid milk prices at wholesale and retail in the county of Harney, State of Oregon.

Pursuant to the Emergency Price Control Act of 1942, as amended, and § 1499.18 (c) of the General Maximum Price Regulation, and for the reasons set forth in an opinion issued simultaneously herewith, *It is hereby ordered:*

(a) *Specific maximum prices for milk at wholesale and retail.* From and after the effective date of this order the maximum prices for fluid milk sold and delivered at wholesale or retail in glass bottles or paper containers in the county of Harney in the State of Oregon, shall be as follows:

Glass bottles or paper containers	Grade	Wholesale	Retail
Quarts.....	Approved.	Cents 11	Cents 13

(b) *Former discounts and differentials need not be maintained.* From and after the effective date of this order it shall not be obligatory upon any seller of fluid milk at wholesale or retail in glass bottles or paper containers to maintain or continue to give any discount, quantity discount, customary allowance or differential heretofore established by him: *Provided, however,* That any such seller at wholesale or retail may sell at a price lower than the maximum prices established by this order if he so desires.

(c) *Notice to accompany first sale at higher price.* Any person making a first sale of milk to any consumer at a higher maximum price than that established by this order shall at the time of delivery furnish the buyer with either a printed or written slip containing the following information:

By Order No. G-44 issued by the Regional Administrator of the Office of Price Administration and effective August 2, 1943, the price of milk in Harney county in the State of Oregon has been fixed at 11¢ per quart wholesale, and 13¢ per quart retail.

(d) *Definitions.* "Milk" means cow's milk produced, processed or unprocessed and of approved grade, sold in glass bottles or paper containers for consumption in fluid form as whole milk.

(e) *Present existing higher maximum prices may be maintained.* Any seller who has established maximum prices under the General Maximum Price Regulation, or any applicable regulation supplementary thereto, or pursuant to any market agreement or order made or issued under the provisions of the Agricultural Market Agreement Act, as amended, that are higher than the maximum prices fixed by this order, may continue to sell at such higher established maximum price and the same shall not be modified or superseded by this order.

(f) *Applicability of other regulations.* Except insofar as the same may be inconsistent with or contradictory of the terms and provisions of this order, all of the terms and provisions of the General Maximum Price Regulation shall remain



in full force and effect and be applicable to sellers covered by this order, but all other orders and regulations, if any, are superseded by this order.

(g) *Right to revoke or amend.* This order may be revoked, modified or amended at any time by the Price Administrator or the Regional Administrator.

(h) *Effective date.* This order shall become effective as of August 2, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871, E.O. 9328, 8 F.R. 4681)

Issued this 28th day of July 1943.

ARNOLD E. SCOTT,  
Acting Regional Administrator.

[F. R. Doc. 43-13936; Filed, August 26, 1943;  
11:03 a. m.]

[Region VIII Order G-31 Under 18 (c)]

#### FLUID MILK IN HEADQUARTERS, IDAHO

Order No. G-31 Under § 1499.18 (c) as amended of the General Maximum Price Regulation. Sales of fluid milk at wholesale and retail in certain localities in the State of Idaho.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation, *It is hereby ordered:*

(a) The adjusted maximum price for sales of fluid milk at wholesale and retail in glass or paper containers other than sales to the Armed Forces and to Federal, State, County, and Municipal institutions, in the locality set forth below shall be the seller's previous maximum price as determined under section 2 of the General Maximum Price Regulation, or the applicable adjusted price specified in the schedule set forth below, whichever is higher:

THE TOWN OF HEADQUARTERS IN THE STATE OF IDAHO

	Wholesale price	Retail price
Quart container.....	\$0.12	\$0.13

(b) This order may be revoked, amended or corrected at any time.

This order shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13938; Filed, August 26, 1943;  
11:04 a. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 24]

#### FLUID MILK IN PROSSER, WASH.

Amendment No. 24 to Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation. (Formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended.) Fluid milk

prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation: *It is hereby ordered,* That Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended) be amended as set forth below:

(a) Section (1) as amended is hereby further amended by striking out the schedule of prices under the heading "City of Prosser" and substituting in place and stead thereof the following:

NOT LESS THAN 4.0 PERCENT MILK FAT

Quantity	Wholesale	Retail
Gallon container.....	\$0.35	\$0.40
Half-gallon container.....	.19	.23
Quart container.....	.11	.13

This amendment shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 28th day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13929; Filed, August 26, 1943;  
11:04 a. m.]

[Region VIII Order G-3 Under 18 (c), Amdt. 25]

#### FLUID MILK IN GRANT COUNTY, WASH.

Amendment No. 25 to Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation. (Formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended.) Fluid milk prices at wholesale and retail in the State of Washington.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Office of Price Administration by § 1499.18 (c) as amended of the General Maximum Price Regulation: *It is hereby ordered,* That Order No. G-3 under § 1499.18 (c) as amended of the General Maximum Price Regulation (formerly Order No. 4 under section 18 (c) of the General Maximum Price Regulation as amended) be amended as set forth below:

(a) Section (1) as amended is hereby further amended by striking out the schedule of prices under the heading "The Towns of Moses Lake, Soap Lake, and Ephrata in Grant County" and substituting in place and stead thereof the following:

NOT LESS THAN 3.5 PERCENT MILK FAT

Quantity	Wholesale price	Retail price
Quart container, glass.....	\$0.11	\$0.13
Quart container, fibre.....	.12	.14
Half-pint container, glass.....	.055	

This amendment shall become effective upon issuance.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued this 27th day of July 1943.

L. F. GENTNER,  
Acting Regional Administrator.

[F. R. Doc. 43-13330; Filed, August 26, 1943;  
11:04 a. m.]

#### LIST OF COMMUNITY CEILING PRICE ORDERS UNDER GENERAL ORDER 51

The following orders under General Order 51 were filed with the Division of the Federal Register on August 24, 1943.

##### REGION II

New York Order 4, Amendment 6, Filed 11:53 a. m.  
New York Order 5, Filed 4:14 p. m.

##### REGION III

Louisville Order 6, Filed 4:14 p. m.  
Louisville Order 7, Filed 4:17 p. m.  
Charleston Order 13, Amendment 1, Filed 4:12 p. m.  
Charleston Order 14, Filed 4:11 p. m.  
Detroit Order 5, Amendment 5, Filed 11:22 a. m.  
Detroit Order 5, Amendment 6, Filed 11:22 a. m.

##### REGION IV

Atlanta Revised Order 3, Amendment 1, Filed 11:25 a. m.  
Atlanta Revised Order 4, Filed 11:24 a. m.  
Atlanta Revised Order 4, Amendment 1, Filed 4:16 p. m.  
Atlanta Order 5, Amendment 1, Filed 11:25 a. m.  
Atlanta Order 6, Amendment 1, Filed 11:24 a. m.  
Nashville Order 4, Amendment 2, Filed 4:11 p. m.  
Nashville Order 5, Amendment 1, Filed 4:11 p. m.  
Richmond Order 4, Amendment 1, Filed 4:11 p. m.  
Memphis Order 4, Amendment 2, Filed 11:52 a. m.  
South Carolina Order 7, Filed 11:52 a. m.

##### REGION V

Little Rock Order 6, Filed 11:47 a. m.

##### REGION VI

Sioux City Order 5, Filed 4:16 p. m.  
North Platte Order 6, Filed 11:17 a. m.

##### REGION VII

Utah Second Revised Order 1, Filed 11:37 a. m.  
Utah Revised Order 2, Filed 11:37 a. m.  
Utah Revised Order 3, Filed 11:47 a. m.  
Utah Revised Order 4, Filed 11:38 a. m.  
Utah Revised Order 5, Filed 11:38 a. m.

##### REGION VIII

Sacramento Order 3, Amendment 3, Filed 11:51 a. m.  
Sacramento Order 4A, Filed 11:52 a. m.  
Sacramento Order 5, Amendment 2, Filed 11:47 a. m.  
Sacramento Order 6, Filed 11:51 a. m.  
Portland Order 8, Filed 11:43 a. m.  
Seattle Order 13, Filed 11:23 a. m.

Copies of these orders may be obtained from the issuing offices.

ERVIN H. POLLACK,  
Head Editorial and Reference Section.

[F. R. Doc. 43-13326; Filed, August 26, 1943;  
11:02 a. m.]



[Region IV Order G-1 Under MPR 329,  
Amdt. 2]

# FLUID MILK IN NORTH CAROLINA

Amendment 2 to Order No. G-1 under § 1351.408 (a) of Maximum Price Regulation 329. Adjustment of milk prices for purchasers of milk for resale as fluid milk in North Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Atlanta Regional Office of the Office of Price Administration by § 1351.408 (d) of Maximum Price Regulation 329, *It is hereby ordered*, That paragraph (c) be amended to read as set forth below:

(a) \* \* \*

(b) \* \* \*

(c) "Producer" means, in addition to the definition set forth in Maximum Price Regulation 329, § 1351.404 (c), any person from whom a "purchaser" bought or received the entire production of milk during that portion of April, 1943, prior to the effective date of this order, except that a "purchaser" who did not buy or receive the entire production of a "producer" during the above mentioned portion of April, 1943, may not consider such seller a "producer" of milk in any greater proportion of total volume than the greatest proportionate volume bought or received from such seller at any time during the above mentioned portion of April, 1943.

This amendment to Order No. G-1 shall become effective July 1, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued July 24th 1943.

ALEXANDER HARRIS,  
Acting Regional Administrator.

[F. R. Doc. 43-13927; Filed, August 26, 1943;  
11:06 a. m.]

[Region IV Order G-3 Under MPR 329]

# FLUID MILK IN GREENVILLE AND SPARTANBURG COUNTIES, S. C.

Order No. G-3 under § 1351.408 (a) of Maximum Price Regulation 329. Adjustment of milk prices for purchase of milk for resale as fluid milk in Greenville and Spartanburg Counties, South Carolina.

For the reasons set forth in an opinion issued simultaneously herewith and under the authority vested in the Regional Administrator of the Atlanta Regional Office of the Office of Price Administration by § 1351.408 (d) of Maximum Price Regulation No. 329, *It is hereby ordered*:

(a) Regardless of any contract, agreement or other obligation, no purchaser in the course of trade or business shall buy or receive milk from any producer at a price higher than the maximum price permitted by this regulation. No purchaser shall agree, offer, solicit, or attempt to do any of the foregoing. Lower prices may be charged, demanded, paid or offered.

(1) The maximum price which a purchaser may pay for milk to a producer shall be the higher of the following:

(i) The maximum price established by a purchaser in payment for "milk" under the provisions of Maximum Price Regulation 329 as amended, or

(ii) The result of the following computation:

(a) \$4.41 per cwt. for milk of a 4 percent butterfat content f. o. b. purchaser's plant, and

(b) For each 1/10 pound of butterfat above four pounds per cwt. the "purchaser" may add 4¢ per cwt. to the amount specified in paragraph (a) above, provided that the purchaser shall reduce the base price of \$4.41 per cwt. by 4¢ for each 1/10 pound of butterfat content below four pounds per cwt.

(b) "Milk" means liquid cows' milk in a raw, unprocessed state which is purchased for resale for human consumption as fluid milk. "In a raw, unprocessed state" means unpasteurized and not sold and delivered in glass or paper containers.

(c) "Producer" means, in addition to the definition set forth in Maximum Price Regulation 329 as amended, § 1351.404 (c), such persons from whom a named purchaser bought and received the entire volume of milk production available for sale during June 1943.

(d) "Purchaser" means any person whose plant is located within Greenville or Spartanburg Counties, South Carolina, and who buys milk from a producer for resale for human consumption as fluid milk.

(e) Greenville and Spartanburg Counties, South Carolina, mean the territory included within the political boundaries of said counties.

(f) Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of Maximum Price Regulation 329, together with all amendments, supplementary regulations and orders which have been heretofore or may be hereafter issued.

(g) This order may be revoked, amended or corrected at any time.

(h) This order shall become effective July 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued: July 27, 1943.

JAMES C. DERIEUX,  
Regional Administrator.

[F. R. Doc. 43-13928; Filed, August 26, 1943;  
11:06 a. m.]

[Region IV Order G-27 Under 18 (c)]

# FLUID MILK IN GREENVILLE COUNTY, S. C.

General Order G-27 under § 1499.18 (c) of the General Maximum Price Regulation. Adjustment of approved fluid milk prices in Greenville County, South Carolina.

The Regional Administrator of the Office of Price Administration, Region IV, has determined that a serious shortage

of approved fluid milk both at wholesale and retail exists and threatens to increase in Greenville County, South Carolina. The Regional Administrator has further found that a supply of fluid milk is essential to a standard of living consistent with the prosecution of the war, that the existing shortage in Greenville County, South Carolina, will be minimized by adjusting the maximum price of sellers of fluid milk in Greenville County, South Carolina, to the extent permitted by this order, and that such adjustment will not create or tend to create a shortage or a need for increases in prices in any other locality and will effectuate the purposes of the Emergency Price Control Act of 1942 as amended.

Therefore, under the authority vested in the Regional Administrator by section 1499.18 (c) of the General Maximum Price Regulation as amended, *It is hereby ordered*:

(a) *Adjusted maximum prices for approved fluid milk.* On and after July 31, 1943, the maximum price for approved fluid milk sold and delivered by any person within the boundaries of Greenville County, South Carolina, at wholesale or retail in glass containers of one quart or less shall be:

(1)

	Wholesale	Retail
	Cents	Cents
Quarts.....	15	17
Pints.....	8	9
Half pints.....	4 1/2	5 1/2

(2) 1/2 Quart container sizes. The seller shall adjust his maximum wholesale price for 1/2 quart container sizes as determined under § 1499.2, General Provisions, of the General Maximum Price Regulation, by an amount proportional to the increases or decrease in a ceiling price for quart container sizes as a result of the foregoing listed maximum prices.

(3) Retail sales of approved fluid milk by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises. The seller may use his established maximum price under the General Maximum Price Regulation or he can determine his adjusted maximum price by adding to the wholesale price paid by him, 3¢ per pint, 2 1/2¢ per 1/2 quart, and 2¢ per half pint.

(4) Retail sales other than out-of-store sales, home deliveries, and retail sales by hotels, restaurants, soda fountains, cafes, bars and other eating establishments for consumption on the premises, shall equal the listed wholesale prices, subject to any applicable discounts or allowances.

(b) *Exempt sales.* (1) The provisions of this order shall not apply to butter-milk, chocolate milk, or other flavored milks. Such sales remain subject in all respects to the provisions of the General Maximum Price Regulation.

(2) The maximum prices fixed by this order are not applicable to sales and deliveries to the Army or Navy under a contract entered into prior to March 6, 1943, during the term thereof.



**(c) Applicability of the General Maximum Price Regulation and other supplementary or adjustment orders of the Office of Price Administration.**

(1) Except as otherwise provided herein, all transactions subject to this order remain subject to all the provisions of the General Maximum Price Regulation together with all amendments, supplementary regulations and orders which have been heretofore or may be hereafter issued. Specifically, but not by way of limitation, unless the context of this order otherwise requires, the provisions of subdivision (vii) of § 1499.73 (amendments 124 and 188 to Supplementary Regulation 14 to General Maximum Price Regulation) shall be applicable and shall be considered a part of this order, including those subdivisions governing sales to the Army or Navy and sales of premium milk.

**(d) Calculations.** (1) On single sales at retail wherein the adjusted maximum price results in a fraction of a cent, the seller may adjust the price upward to the full cent if the fraction is  $\frac{1}{2}$ ¢ or more, and shall decrease the price to the lowest even cent if the fraction is less than  $\frac{1}{2}$ ¢. On sales of more than one unit, where the unit price is expressed in a fraction of a cent, the exact price established by the applicable subdivision shall be multiplied by the number of units. If the computation results in a fraction of a cent, the total shall be adjusted up or down to the nearest full cent, and, in such adjustment, a half-cent may be adjusted upward to the nearest full cent. Home-deliveries shall be considered multiple unit sales unless separate collections are made for single units delivered.

**(e) Definitions.** (1) "Greenville County" shall mean the area included within the established boundaries of such county.

(2) "Approved fluid milk" means fluid cows' milk, raw or pasteurized, at least satisfying the minimum butterfat content and sanitary and health requirements for fluid milk sold for human consumption in the particular area wherein it is delivered, including standards set by purchasing officers for sales to the Army or Navy.

(3) "Sales to the Army or Navy" means sales to the War Department or the Department of the Navy of the United States, including such Departments' sales stores, commissaries, ships' stores ashore, officers' messes, and stores operated as Army canteens, post exchanges or ships' activities.

(4) "Atlanta Regional Area" means the territory lying within the geographic boundaries of the following States: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

(5) "Premium milk" means certified milk, homogenized milk whose Vitamin D content has been artificially increased, and any other approved fluid milk for which the particular seller customarily charged a premium during January 1943, in excess of such seller's established maximum price for his standard approved fluid milk, or any other such milk as may be classified as Premium milk by any order issued by the Atlanta Regional Office of the Office of Price Ad-

ministration pursuant to an application duly filed in accordance with the provisions of this order.

(6) All other terms used, unless the context otherwise requires, shall be construed in accordance with § 1499.20 of the General Maximum Price Regulation.

**(f) Requirements of notification.** (1) Every person making sales and deliveries of approved fluid milk pursuant to this order shall post a copy of this order at a conspicuous place in his place of business, and shall make such order and opinion available during usual business hours for examination by any person requesting to see same.

(g) This order may be revoked, amended or corrected at any time.

This order shall become effective on July 31, 1943.

(Pub. Laws 421 and 729, 77th Cong.; E.O. 9250, 7 F.R. 7871)

Issued: July 27, 1943.

JAMES C. DERIEUX,  
Regional Administrator.

[F. R. Doc. 43-13935; Filed, August 26, 1943;  
11:05 a. m.]

## SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-775]

### GENERAL GAS & ELECTRIC CORPORATION

#### NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of August 1943.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Gas & Electric Corporation, a registered holding company; and

All interested persons are referred to the said declaration which is on file in the office of the said Commission for a statement of the transaction therein proposed, which is summarized below:

General Gas & Electric Corporation, a subsidiary of Denis J. Driscoll and Willard L. Thorp, Trustees of Associated Gas and Electric Corporation, a registered holding company, proposes to pay out of capital or unearned surplus a quarterly dividend on its \$5 Prior Preferred Stock for the quarterly period ended September 15, 1942. As proposed, the amount of the dividend on the 60,000 outstanding shares of this stock will be \$75,000, of which approximately \$40,125 will be paid to the public holders of 32,110.9 shares. The declaration as filed states that the remaining 27,889.1 shares outstanding are held by the Trustees of Associated Gas and Electric Corporation, who have, pending further order of the Commission, waived their right to the receipt of the dividend, which would otherwise be payable to them.

It appearing to the Commission that it is appropriate in the public interest and the interest of investors and consumers that a hearing be held with respect to such matter;

It is ordered, That a hearing on such matter under the applicable provisions of said Act and the Rules of the Commission promulgated hereunder be held on September 7, 1943, at 10 a. m., E. W. T., at the offices of the Securities and Exchange Commission, 18th and Locust Streets, Philadelphia, Pennsylvania. On such date the hearing room clerk in Room 318 will advise as to the room in which such hearing will be held.

It is further ordered, That Willis E. Monty or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to a trial examiner under the Commission's Rules of Practice.

It is further ordered, That without limiting the scope of the issues presented by said declaration, particular attention will be directed at said hearing to the following matters and questions:

(1) Whether the proposed declaration of a quarterly dividend out of the capital or unearned surplus of General Gas & Electric Corporation is appropriate and in the public interest and the interest of investors;

(2) What terms or conditions, if any, should be imposed in the public interest or for the protection of investors;

(3) Whether the proposed action to be taken complies with the provisions of the Public Utility Holding Company Act of 1935 and all rules and regulations promulgated thereunder and is not detrimental to the public interest or the interest of investors and consumers.

By the Commission.

[SEAL] ORVAL L. DUBOIS,  
Secretary.

[F. R. Doc. 43-13945; Filed, August 26, 1943;  
11:37 a. m.]

[File No. 70-449]

### WEST TEXAS UTILITIES COMPANY

#### ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE, AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of August, 1943.

West Texas Utilities Company, a direct subsidiary of American Public Service Company, a registered holding company, and an indirect subsidiary of Central and South West Utilities Company and The Middle West Corporation, both registered holding companies, has filed a declaration pursuant to sections 6 (a) and 7 of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder regarding the issue and sale of \$18,000,000 principal amount of First Mortgage Bonds dated August 1, 1943, and maturing August 1, 1973 for the purpose of redeeming its outstanding 3¾% First Mortgage Bonds, due May 1, 1969; and has requested that the ten-day period for inviting bids, as provided by Rule U-50, be shortened to a period of six days; and



A public hearing having been held after appropriate notice, and the Commission having considered the record and having made and filed its Findings and opinion herein;

*It is ordered,* That subject to Commission approval by further order, after the terms of the bond financing have been determined by competitive bidding, said declaration be and hereby is permitted to become effective, subject to the terms and conditions contained in Rule U-24, and

*It is further ordered* That the ten-day period for inviting bids, as provided by Rule U-50 (b), be shortened to a period of six days.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-13944; Filed, August 26, 1943;  
11:37 a. m.]

[File No. 811-405]

#### GENERAL TRUSTEES COMPANY

##### NOTICE OF AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 24th day of August, A. D. 1943.

The Commission having reasonable cause to believe that General Trustees Company, a registered investment company, is out of existence and its assets distributed to its bondholders;

*It is ordered,* Pursuant to section 40 (a) of said Act, that a hearing be held on August 30, 1943, at 10:30 a. m., Eastern War Time, in Room 318, Securities and Exchange Commission Building, 18th and Locust Streets, Philadelphia, Pennsylvania, to determine whether the Commission shall declare by order, pursuant to section 8 (f) of said Act, that General Trustees Company has ceased to be an investment company; and

*It is further ordered,* That Charles S. Lobingier, Esquire, or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated is hereby authorized to exercise all powers granted to the Commission under sections 41 and 42 (b) of the Investment Company Act of 1940 and to trial examiners under the Commission's Rules of Practice.

Notice of such hearings is hereby given to General Trustees Company and to any other persons whose participation in such proceedings may be in the public interest or for the protection of investors.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,  
Secretary.

[F. R. Doc. 43-13946; Filed, August 26, 1943;  
11:37 a. m.]

#### WAR FOOD ADMINISTRATION.

##### ADMINISTRATOR OR ALTERNATE ADMINISTRATOR OF FOOD DISTRIBUTION

###### DELEGATION OF AUTHORITY

Pursuant to the authority vested in me by Food Distribution Order 75 (8 F.R. 11119), and to effectuate the purposes of that order and of Food Distribution Order 75-2 (8 F.R. 11325), the Administrator or Alternate Administrator of Food Distribution Order 75-2,<sup>1</sup> is hereby authorized through individual written notices and subject to the supervision of the Chief of the Livestock and Meats Branch, Food Distribution Administration, War Food Administration:

(a) To allocate, to or among the persons or agencies specified in Director Food Distribution Order 75-2,<sup>1</sup> meats required to be set aside;

(b) To specify the cuts and grades of meat required to be set aside;

(c) To give instructions with respect to the selection and manner of processing, cutting, and packaging of meats required to be set aside, or to authorize any of the persons or agencies specified to issue such instructions; and

(d) To release, at any time and under such terms and conditions as he may prescribe, any or all of the meat required to be set aside.

All authority herein conferred shall be exercised in accordance with instructions issued by the Director of Food Distribution.

Nothing contained herein shall be construed as affecting any power or authority vested in the Director of Food Distribution.

Issued this 25th day of August 1943.

ROY F. HENDRICKSON,  
Director of Food Distribution.

[F. R. Doc. 43-13943; Filed, August 26, 1943;  
11:21 a. m.]

#### WAR SHIPPING ADMINISTRATION.

##### DETERMINATION AS TO OWNERSHIP OF CERTAIN REQUISITIONED VESSELS

Whereas titles to the following vessels (including all spare parts appertaining thereto, whether aboard or ashore) were requisitioned pursuant to Section 902 of the Merchant Marine Act, 1936, as amended, on the respective dates indicated:

*Fred W. Sargent*, December 4, 1942.  
*George D. Dixon*, December 11, 1942.  
*Utica*, December 11, 1942.  
*Alfred H. Smith*, December 12, 1942.

<sup>1</sup> *Supra*.

Whereas section 3 (b) of the Act approved March 24, 1943, (Public Law 17, 78th Cong.), provides in part as follows:

(b) The Administrator, War Shipping Administration, may determine at any time prior to the payment in full or deposit in full with the Treasurer of the United States, or the payment or deposit of 75 per centum, of just compensation therefor, that the ownership of any vessel (the title to which has been requisitioned pursuant to section 902 of the Merchant Marine Act, 1936, as amended, or the Act of June 6, 1941 (Public Law 101, Seventy-Seventh Congress), is not required by the United States, and after such determination has been made and notice thereof has been published in the FEDERAL REGISTER, the use rather than the title to such vessel shall be deemed to have been requisitioned for all purposes as of the date of the original taking; *Provided, however,* That no such determination shall be made with respect to any vessel after the expiration of a period of two months after the date of delivery of such vessel pursuant to title requisition except with the consent of the owner. \* \* \*

Whereas just compensation for the said vessels has not been determined by the Administrator, War Shipping Administration, and no part thereof has been paid or deposited with the Treasurer of the United States; and

Whereas the ownership of the said vessels, their spare parts and appurtenances, are not required by the United States; and

Whereas, by mutual agreement between the Administrator, War Shipping Administration, and Great Lakes Transit Corporation, the latter has consented to the determination by the Administrator that the use rather than the title of the said vessels, their spare parts and appurtenances, shall be deemed to have been requisitioned as of the dates of the original taking thereof.

Now, therefore, I, Emory S. Land, Administrator, War Shipping Administration, acting pursuant to the above quoted provisions of law, do determine that the ownership of said vessels, their spare parts and appurtenances, is not required by the United States, and that the requisition of the above mentioned vessels, their spare parts and appurtenances, shall, from and after the date of publication hereof in the FEDERAL REGISTER, be deemed to have been, for all purposes, requisitions of the use rather than of the titles of the respective vessels, their spare parts and appurtenances, as of the dates of the original taking thereof, namely, *Fred W. Sargent*, December 4, 1942; *George D. Dixon*, December 11, 1942; *Utica*, December 11, 1942; *Alfred H. Smith*, December 12, 1942.

Dated: August 25, 1943.

[SEAL]

E. S. LAND,  
Administrator.

[F. R. Doc. 43-13922; Filed, August 26, 1943;  
10:57 a. m.]